

## SIXTY-FIRST LEGISLATURE - REGULAR SESSION

## FIFTY THIRD DAY

House Chamber, Olympia, Thursday, March 5, 2009

The House was called to order at 10:00 a.m. by the Speaker (Representative Morris presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Hailey Beres and Lauren Epperson. The Speaker (Representative Morris presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Zachary Hudgins.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**RESOLUTION****HOUSE RESOLUTION NO. 4620**, by Representative Eddy

WHEREAS, The greater Seattle area is home to over forty-five video game companies, making the video game industry in Washington one of the largest in the nation; and

WHEREAS, Jerry Holkins, a comic writer, and Mike Krahulik, a cartoonist and artist, both originally from Spokane, Washington, collaborated to create an online comic about video games called Penny Arcade in the fall of 1998; and

WHEREAS, Jerry Holkins and Mike Krahulik, together with a team of talented men and women, created Penny Arcade Incorporated which has since become a highly influential consumer voice and renowned within the gaming industry; and

WHEREAS, Jerry Holkins and Mike Krahulik recently celebrated the comic's tenth anniversary; and

WHEREAS, In 2004, Jerry Holkins and Mike Krahulik launched the first annual Penny Arcade Expo, a gaming festival in Bellevue, Washington; and

WHEREAS, By 2008, the Penny Arcade Expo has grown to become the largest game convention in the United States, with over 58,500 video game enthusiasts attending the Penny Arcade Expo at the Washington State Convention and Trade Center in August 2008; and

WHEREAS, The Penny Arcade Expo attracts thousands of tourists from around the globe to visit the city of Seattle while attending the convention, and has served to further reinforce Seattle's status as a leading locale of the game industry; and

WHEREAS, In 2003, Jerry Holkins and Mike Krahulik created the Child's Play Charity, an organization which raises contributions of money and toys to donate to children's hospitals worldwide; and

WHEREAS, Child's Play Charity has raised over 4.5 million dollars for sixty different children's hospitals since it was established, including Washington's Seattle Children's Hospital and Sacred Heart Children's Hospital, and children's hospitals in six countries, including the United States and Canada;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the accomplishments of Jerry Holkins and Mike Krahulik in leading the computer and video game industries, encouraging industry growth through scholarships, and advancing Washington state as a hub of the gaming industry through the presence of Penny Arcade Expo; and

BE IT FURTHER RESOLVED, That the House of Representatives honor Jerry Holkins and Mike Krahulik for their hard work and dedication to improving the lives of hospitalized children worldwide through their creation and continued work with Child's Play Charity; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Jerry Holkins and Mike Krahulik.

Representative Eddy moved adoption of House Resolution No. 4620.

Representatives Eddy and Hinkle spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4620 was adopted.

**MESSAGES FROM THE SENATE**

March 4, 2009

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5007,  
 SUBSTITUTE SENATE BILL NO. 5026,  
 SENATE BILL NO. 5031,  
 SECOND SUBSTITUTE SENATE BILL NO. 5045,  
 SENATE BILL NO. 5315,  
 SENATE BILL NO. 5320,  
 SECOND SUBSTITUTE SENATE BILL NO. 5346,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5414,  
 SUBSTITUTE SENATE BILL NO. 5510,  
 SENATE BILL NO. 5548,  
 SUBSTITUTE SENATE BILL NO. 5574,  
 SUBSTITUTE SENATE BILL NO. 5613,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5768,  
 SENATE BILL NO. 5832,  
 SUBSTITUTE SENATE BILL NO. 5881,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5901,

SENATE BILL NO. 5909,  
SENATE BILL NO. 5974,  
SUBSTITUTE SENATE BILL NO. 6036,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

March 4, 2009

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5011,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5263,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

### INTRODUCTION AND FIRST READING

SSB 5012 by Senate Committee on Judiciary (originally sponsored by Senators Kilmer, Swecker, Haugen, King, Sheldon, Marr, Kauffman, McAuliffe, Parlette and Roach)

AN ACT Relating to abducted or missing persons; amending RCW 13.60.010; and adding a new section to chapter 13.60 RCW.

Referred to Committee on Public Safety & Emergency Preparedness.

ESB 5014 by Senators McAuliffe, Hargrove, Brandland and Stevens

AN ACT Relating to exempting special commitment center and private detention facility security information from disclosure under the public records act; and amending RCW 42.56.420.

Referred to Committee on State Government & Tribal Affairs.

SB 5028 by Senator Haugen

AN ACT Relating to jurisdictional route transfers; amending RCW 47.26.167; adding a new section to chapter 47.01 RCW; and recodifying RCW 47.26.167.

Referred to Committee on Transportation.

SSB 5056 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Brandland, Regala, Keiser and McAuliffe)

AN ACT Relating to health care professionals reporting violent injuries; adding a new section to chapter 18.73 RCW; and adding a new section to chapter 70.41 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5117 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Hargrove, Kauffman, Stevens, Kline and Marr)

AN ACT Relating to intensive behavior support services for children with developmental disabilities; and adding a new chapter to Title 71A RCW.

Referred to Committee on Human Services.

SSB 5151 by Senate Committee on Judiciary (originally sponsored by Senators Kline, Rockefeller and Kohl-Welles)

AN ACT Relating to the appointment of court commissioners to assist with criminal cases; and amending RCW 2.24.010.

Referred to Committee on Judiciary.

SSB 5166 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Regala, Stevens and Kline)

AN ACT Relating to license suspension for the failure to pay child support; amending RCW 74.20A.320 and 46.20.342; adding new sections to chapter 74.20A RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SB 5193 by Senators Delvin, Hewitt, Kastama, Carrell, Kilmer, Zarelli, Stevens, King, Schoesler, Swecker, Pridmore, Roach and Holmquist

AN ACT Relating to weapons possession by an alien when hunting with a Washington-licensed hunter; and amending RCW 9.41.170.

Referred to Committee on Judiciary.

ESSB 5238 by Senate Committee on Government Operations & Elections (originally sponsored by Senators Keiser, Roach, Swecker, Fraser, McCaslin, Kohl-Welles, Honeyford, Pridmore, McDermott, Fairley, Benton and Shin)

AN ACT Relating to mailing information to certain members of the state retirement systems; and adding a new section to chapter 41.50 RCW.

Referred to Committee on State Government & Tribal Affairs.

SSB 5252 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Brandland, Hargrove and Shin)

AN ACT Relating to correctional facility policies regarding medication management; amending RCW 70.48.020; adding a new section to chapter 18.64 RCW; adding a new section to chapter 70.48 RCW; and creating new sections.

Referred to Committee on Human Services.

SSB 5270 by Senate Committee on Government Operations & Elections (originally sponsored by Senators McDermott, Swecker, Fairley, Oemig, Tom and Shin)

AN ACT Relating to voter registration; amending RCW 29A.04.079, 29A.04.109, 29A.04.163, 29A.04.210, 29A.08.010, 29A.08.030, 29A.08.105, 29A.08.107, 29A.08.110, 29A.08.115, 29A.08.125, 29A.08.130, 29A.08.135, 29A.08.140, 29A.08.210, 29A.08.230, 29A.08.260, 29A.08.310, 29A.08.330, 29A.08.350, 29A.08.410, 29A.08.420, 29A.08.430, 29A.08.440, 29A.08.510, 29A.08.520, 29A.08.610, 29A.08.625, 29A.08.630, 29A.08.635, 29A.08.640, 29A.08.720, 29A.08.760, 29A.40.010, 29A.40.020, 29A.40.061, 29A.40.091, 29A.60.235, and 46.20.155; reenacting and amending RCW 29A.04.611, 29A.08.620, and 29A.40.110; and repealing RCW 29A.04.103, 29A.08.040, 29A.08.113, 29A.08.145, 29A.08.360, 29A.08.605, 29A.08.651, and 29A.08.780.

Referred to Committee on State Government & Tribal Affairs.

SSB 5276 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Senators Schoesler, Jarrett, Oemig, Shin and Holmquist)

AN ACT Relating to increasing the availability of engineering programs in public universities; and amending RCW 28B.10.115 and 28B.20.060.

Referred to Committee on Higher Education.

SB 5277 by Senators Hatfield, Kline and Delvin

AN ACT Relating to district court clerk fees; and amending RCW 3.62.060.

Referred to Committee on Judiciary.

SB 5354 by Senators Haugen and Ranker

AN ACT Relating to public hospital capital facility areas; adding a new chapter to Title 70 RCW; and creating a new section.

Referred to Committee on Local Government & Housing.

SSB 5367 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senator Kohl-Welles)

AN ACT Relating to a spirits, beer, and wine nightclub license; amending RCW 66.04.010, 66.08.180, 66.08.220, 66.24.010, 66.24.440, 66.40.030, and 66.40.130; reenacting and amending RCW 66.20.310, 66.24.420, and 68.50.107; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

SB 5378 by Senator Eide

AN ACT Relating to digital learning program accreditation; and amending RCW 28A.150.262.

Referred to Committee on Education.

SSB 5383 by Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Morton, Jacobsen, Swecker, Stevens, Hargrove, Schoesler, Pflug and King)

AN ACT Relating to wolf-hybrids; amending RCW 16.30.010 and 16.30.030; and adding a new section to chapter 16.30 RCW.

Referred to Committee on Judiciary.

SB 5412 by Senators Eide, McDermott, Honeyford, Keiser, Jacobsen and Shin

AN ACT Relating to controlling saltwater algae; amending RCW 88.02.050; adding a new section to chapter 43.21A RCW; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

SSB 5431 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens, Hargrove, Regala, McAuliffe, Carrell, Brandland and King)

AN ACT Relating to subsequent foster family home placements; and amending RCW 74.13.290.

Referred to Committee on Early Learning & Children's Services.

SSB 5436 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Murray, Keiser, Pflug, Marr, Parlette, Kastama and Roach)

AN ACT Relating to payment arrangements involving direct practices; amending RCW 48.150.010, 48.150.040, and 48.150.050; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 5481 by Senate Committee on Government Operations & Elections (originally sponsored by Senators Marr, Becker, Hobbs, Haugen, Franklin, Parlette, Eide, Rockefeller, Hatfield, Jarrett, Jacobsen, Kilmer, Berkey, Tom, Swecker, King, Kastama, Shin, McDermott, Prentice, Fairley, Holmquist, Brandland, McCaslin, Ranker, McAuliffe, Roach, Honeyford and Kauffman)

AN ACT Relating to veterans' burials; and amending RCW 68.50.230.

Referred to Committee on Judiciary.

ESSB 5485 by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Rockefeller, Honeyford, Pridemore and Kilmer)

AN ACT Relating to authorizing water-sewer districts to construct, condemn and purchase, add to, maintain, and operate systems for reclaimed water; and amending RCW 57.08.005, 57.08.044, 57.08.047, and 57.16.010.

Referred to Committee on Local Government & Housing.

SSB 5504 by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Fraser, Honeyford, Rockefeller, Marr, Kline and Morton)

AN ACT Relating to reclaimed water permitting; amending RCW 90.46.010, 90.46.015, 90.46.040, 90.46.080, 90.46.120, 90.48.465, 43.21B.110, 43.21B.300, and 43.21B.310; adding new sections to chapter 90.46 RCW; creating new sections; repealing RCW 90.46.060; and prescribing penalties.

Referred to Committee on Agriculture & Natural Resources.

SSB 5551 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Franklin, Keiser, Kastama, Marr, Murray, McDermott, Shin, McAuliffe, Fairley, Kline,

Pridemore, Oemig, Regala, Kauffman and Kohl-Welles)

AN ACT Relating to recess periods for elementary school students; and creating new sections.

Referred to Committee on Education.

ESB 5581 by Senators Delvin, Marr and Shin

AN ACT Relating to suncreening devices; amending RCW 46.37.430; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

SB 5629 by Senators Kohl-Welles, Keiser, Fairley, Kline, Marr, Prentice, Franklin, Murray, King and Brown

AN ACT Relating to programs for the prevention of unintended pregnancies and sexually transmitted diseases; amending RCW 74.12.410; adding a new section to chapter 70.54 RCW; and creating new sections.

Referred to Committee on Health Care & Wellness.

SB 5642 by Senators Kauffman, Berkey and Sheldon

AN ACT Relating to designating state route number 164 as a highway of statewide significance; and adding a new section to chapter 47.05 RCW.

Referred to Committee on Transportation.

SB 5661 by Senators Pridemore, Roach, King, Zarelli, Swecker, Hargrove, Fairley, Stevens, Kastama, Oemig, Shin, McAuliffe and Benton

AN ACT Relating to exempting the annual parental declaration of intent to home school from the public disclosure act; and amending RCW 42.56.320.

Referred to Committee on State Government & Tribal Affairs.

SSB 5725 by Senate Committee on Health & Long-Term Care (originally sponsored by Senator Keiser)

AN ACT Relating to organ transplant lifetime limits; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5752 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Marr, Pflug, Hobbs and Keiser)

AN ACT Relating to cost recovery in disciplinary proceedings involving dentists; and adding a new section to chapter 18.32 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5826 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser and Parlette)

AN ACT Relating to tamper-resistant prescription pads; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Health Care & Wellness.

SJM 8001 by Senators Hatfield and Haugen

Requesting the United States fish and wildlife service to work cooperatively with the state's regulatory agencies and energy producers with respect to the federal endangered species act.

Referred to Committee on Agriculture & Natural Resources.

There being no objection, the bills and memorial listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

## SECOND READING

**HOUSE BILL NO. 1088, by Representative Hunter**

**Clarifying prospectively the measure of the taxes imposed on public utility districts as provided in chapter 54.28 RCW.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Hunter spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1088.

## MOTION

On motion of Representative Santos, Representative Pettigrew was excused

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1088 and the bill passed the House by the following vote: Yeas, 61; Nays, 35; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Blake, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Erickson, Haler, Herrera, Hope, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Probst, Roach, Rodne, Ross, Schmick, Shea, Short, Smith and Walsh.

Excused: Representative Pettigrew.

HOUSE BILL NO. 1088, having received the constitutional majority, was declared passed.

## STATEMENT FOR THE JOURNAL

I intended to vote NAY on HOUSE BILL NO. 1088.

CHRISTOPHER HURST, 31<sup>st</sup> District

## SECOND READING

**HOUSE BILL NO. 1212, by Representatives Kirby, Green, Williams, Roberts, Ormsby, Appleton and Wood**

**Regarding industrial insurance death benefits for the surviving spouses of members of the law enforcement officers' and firefighters' retirement system and the state patrol retirement system.**

The bill was read the second time.

With the consent of the House, amendment (080) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Conway spoke in favor of the passage of the bill.

Representatives Condotta and Chandler spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1212.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1212 and the bill passed the House by the following vote: Yeas, 77; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Ericksen, Grant-Herriot, Johnson, Klippert, Kretz, Orcutt, Ross, Schmick, Shea, Short and Walsh.

HOUSE BILL NO. 1212, having received the constitutional majority, was declared passed.

### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which HOUSE BILL NO. 1212 passed the House.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1212 on reconsideration and the bill passed the House by the following vote: Yeas, 78; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko,

Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Ericksen, Grant-Herriot, Johnson, Klippert, Kretz, Orcutt, Ross, Schmick, Shea, Short and Walsh.

HOUSE BILL NO. 1212, on reconsideration, having received the constitutional majority, was declared passed.

### SECOND READING

**HOUSE BILL NO. 1310, by Representatives Kirby, Bailey, Ormsby, Morrell, Simpson, Nelson and Kelley**

**Placing restrictions on check cashers' and sellers' communications when collecting delinquent small loans.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kirby and Bailey spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1310.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1310 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

HOUSE BILL NO. 1310, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1647, by Representatives Driscoll, Morrell, Green, Clibborn, Moeller, Williams, Wood, Simpson, Kenney and Ormsby**

**Concerning administrative procedures for payors and providers of health care services.**

There being no objection, the substitute by the Committee on Health Care & Wellness was substituted for House Bill No. 1647 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1647 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Driscoll and Ericksen spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1647.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1647 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lijas, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1647, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1752, by Representatives Hurst and Hunt**

**Regarding the observation of election procedures.**

There being no objection, the substitute by the Committee on State Government & Tribal Affairs was substituted for House Bill No. 1752 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1752 was read the second time.

Representative Hunt moved the adoption of amendment (069):

On page 3, at the beginning of line 5, strike "oversight" and insert "monitoring"

On page 3, line 32, after "meaningful" strike "oversight" and insert "monitoring"

Representatives Hunt and Armstrong spoke in favor of the adoption of the amendment.

Amendment (069) was adopted. The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst, Armstrong and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1752.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1752 and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Angel, Appleton, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lijas, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Armstrong, Cox, DeBolt and Schmick.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1752, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1864, by Representatives Newhouse, Hunt and Armstrong**

**Exempting certain municipalities from the supplemental income requirements of RCW 70.94.093.**

There being no objection, the substitute by the Committee on State Government & Tribal Affairs was substituted for House Bill No. 1864 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1864 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chandler and Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1864.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1864 and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Orcutt.

SUBSTITUTE HOUSE BILL NO. 1864, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1997, by Representatives Finn, Rolfes, Smith, Dunshee, Upthegrove, Kretz, Chase, Dickerson, Liias, Kagi, Nelson, Kessler, Hunt and Blake**

**Regarding Puget Sound scientific research.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Finn and Short spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1997.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1997 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

HOUSE BILL NO. 1997 received the constitutional majority, was declared passed.

**HOUSE BILL NO. 2116, by Representatives Maxwell, Dunshee, Upthegrove, Jacks, Liias and Simpson**

**Concerning water pollution control.**

There being no objection, the substitute by the Committee on Capital Budget was substituted for House Bill No. 2116 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2116 was read the second time.

Representative Smith moved the adoption of amendment (115):



On page 1, line 14, after "(b) strike "Any" and insert "Until July 1, 2014, any"

On page 2, line 17, after ", and" insert ", until July 1, 2014,"  
On page 2, line 30, after "and" insert ", until July 1, 2014,"

On page 4, beginning on line 12, strike "(((5) The department may not use the moneys in the water pollution control revolving fund for grants.))" and insert "(((5)))(7) On or after July 1, 2014, the department may not use the moneys in the water pollution control revolving fund for grants."

Renumber the subsections consecutively and correct any internal references accordingly.

On page 5, after line 8, insert the following: "(8) Subsections (3), (4), and (7) of this section expire on July 1, 2014."

On page 5, line 15, after "loans," strike "grants, forgiveness of principal, and negative interest" and insert "and until July 1, 2014, for grants, forgiveness of principal, and negative interest,"

On page 6, after 13, insert the following: "This section expires July 1, 2014."

On page 6, line 33, after "(a)" strike "The" and insert "Until July 1, 2014, the"

Representative Smith spoke in favor of the adoption of the amendment.

Representative Dunshee spoke against the adoption of the amendment.

Amendment (115) was not adopted.

Representative Dunshee moved the adoption of amendment (066):

On page 5, line 18, after "1987," strike "and" and insert "((and))"

On page 5, line 19, after "act" insert ", and for separate competitive programs relating to stormwater systems, sewer systems, and septic systems prioritized on a worst case first need"

Representatives Dunshee and Warnick spoke in favor of the adoption of the amendment.

Amendment (066) was adopted.

Representative Bailey moved the adoption of amendment (055):

On page 8, beginning on line 15, strike all of section 7  
Correct the title.

Representative Bailey spoke in favor of the adoption of the amendment.

Representative Dunshee spoke against the adoption of the amendment.

Amendment (055) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Maxwell and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 2116.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2116 and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Appleton, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Angel, Armstrong, Chandler, Condotta, Cox, Crouse, Klippert, Kretz, Schmick and Shea.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2116, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 2146, by Representatives Ericks, Johnson, Eddy and Liias**

**Modifying contract requirements for water or sewer facilities.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ericks and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 2146.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2146 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

HOUSE BILL NO. 2146, having received the constitutional majority, was declared passed.

### RECONSIDERATION

There being no objection, the House reconsidered the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 2116 passed the House.

The Speaker (Representative Morris presiding) stated the question before the House to be reconsideration of the vote by which the Engrossed Substitute House Bill No. 2116 passed the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2116 on reconsideration, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest,

Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2116, on reconsideration, having received the constitutional majority, was declared passed.

### SECOND READING

**HOUSE BILL NO. 2208, by Representatives Hope, Kristiansen, Newhouse and McCune**

**Prohibiting new motorsports vehicle dealers from having to pay for returning or canceling orders of new motorsports vehicles under certain conditions. Revised for 1st Substitute: Prohibiting new motorsports vehicle dealers from having to pay a fee for canceling orders of new motorsports vehicles.**

There being no objection, the substitute by the Committee on Commerce & Labor was substituted for House Bill No. 2208 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2208 was read the second time.

With the consent of the House, amendment (056) was withdrawn.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hope and Wood spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 2208.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2208 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz,

Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2208, having received the constitutional majority, was declared passed.

### POINT OF PERSONAL PRIVILEGE

Representative Ericksen congratulated Representative Hope on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

### SECOND READING

**HOUSE BILL NO. 2117, by Representatives Cody, Morrell, Kenney and Conway**

#### Modifying the basic health plan.

The bill was read the second time.

Representative Ericksen moved the adoption of amendment (110):

On page 3, line 22, after "services;" strike "and" and insert "~~((and))~~"

On page 3, line 23, after "(vi)" insert "Who is not between the ages of nineteen and thirty-four and does not qualify for health plans for young adults as provided in RCW 48.43.041, 48.44.022, 48.46.064, or 48.20.029; and

(vii)"

On page 3, line 27, strike "(vi)" and insert "~~((vi))~~ (vii)"

On page 3, line 35, strike "(vi)" and insert "~~((vi))~~ (vii)"

On page 14, after line 35, insert the following:

"Sec. 6. RCW 48.43.041 and 2000 c 79 s 26 are each amended to read as follows:

(1) All individual health benefit plans, other than catastrophic health plans, ~~((offered or renewed on or after October 1, 2000))~~ and plans for young adults described in subsection (3) of this section, shall include benefits described in this section. Nothing in this section shall be construed to require a carrier to offer an individual health benefit plan.

(a) Maternity services that include, with no enrollee cost-sharing requirements beyond those generally applicable cost-sharing requirements: Diagnosis of pregnancy; prenatal care; delivery; care for complications of pregnancy; physician services; hospital services; operating or other special procedure rooms; radiology and laboratory services; appropriate medications; anesthesia; and services required under RCW 48.43.115; and

(b) Prescription drug benefits with at least a two thousand dollar benefit payable by the carrier annually.

(2) If a carrier offers a health benefit plan that is not a catastrophic health plan to groups, and it chooses to offer a health

benefit plan to individuals, it must offer at least one health benefit plan to individuals that is not a catastrophic health plan.

(3) Carriers may design and offer a separate health plan targeted at young adults between nineteen and thirty-four years old. The plan may include the benefits required under subsections (1) and (2) of this section. The health plan designed for young adults is exempt from the requirements of RCW 48.43.045(1), 48.43.515(5), 48.44.327, 48.20.392, 48.46.277, 48.43.043, 48.20.580, 48.21.241, 48.44.341, and 48.46.291. Carriers that choose to exclude maternity services from a young adult plan offered under this section must allow enrollees who become pregnant to transfer to another health benefit plan with similar cost-sharing provisions that provides coverage for maternity services, once pregnancy is confirmed by a licensed provider. Carriers shall allow the transfer to occur without applying a preexisting condition waiting period or other limitation or penalty including, but not limited to, satisfying a new deductible or stop-loss requirement.

Sec. 7. RCW 48.44.022 and 2006 c 100 s 3 are each amended to read as follows:

(1) Except for health benefit plans covered under RCW 48.44.021, premium rates for health benefit plans for individuals shall be subject to the following provisions:

(a) The health care service contractor shall develop its rates based on an adjusted community rate and may only vary the adjusted community rate for:

- (i) Geographic area;
- (ii) Family size;
- (iii) Age;
- (iv) Tenure discounts; and
- (v) Wellness activities.

(b) The adjustment for age in (a)(iii) of this subsection may not use age brackets smaller than five-year increments which shall begin with age twenty and end with age sixty-five. Individuals under the age of twenty shall be treated as those age twenty.

(c) The health care service contractor shall be permitted to develop separate rates for individuals age sixty-five or older for coverage for which medicare is the primary payer and coverage for which medicare is not the primary payer. Both rates shall be subject to the requirements of this subsection.

(d) Except as provided in subsection (2) of this section, the permitted rates for any age group shall be no more than four hundred twenty-five percent of the lowest rate for all age groups on January 1, 1996, four hundred percent on January 1, 1997, and three hundred seventy-five percent on January 1, 2000, and thereafter.

(e) A discount for wellness activities shall be permitted to reflect actuarially justified differences in utilization or cost attributed to such programs.

(f) The rate charged for a health benefit plan offered under this section may not be adjusted more frequently than annually except that the premium may be changed to reflect:

- (i) Changes to the family composition;
- (ii) Changes to the health benefit plan requested by the individual; or
- (iii) Changes in government requirements affecting the health benefit plan.

(g) For the purposes of this section, a health benefit plan that contains a restricted network provision shall not be considered similar coverage to a health benefit plan that does not contain such a provision, provided that the restrictions of benefits to network providers result in substantial differences in claims costs. This subsection does not restrict or enhance the portability of benefits as provided in RCW 48.43.015.

(h) A tenure discount for continuous enrollment in the health plan of two years or more may be offered, not to exceed ten percent.

(2) Adjusted community rates established under this section shall pool the medical experience of all individuals purchasing coverage, except individuals purchasing coverage under RCW 48.44.021, and shall not be required to be pooled with the medical experience of health benefit plans offered to small employers under RCW 48.44.023. Carriers may treat young adults and products developed specifically for them consistent with RCW 48.43.041(3) as a single-banded experience pool for purposes of establishing rates. The rates established for this age group are not subject to subsection (1)(d) of this section.

(3) As used in this section and RCW 48.44.023 "health benefit plan," "small employer," "adjusted community rates," and "wellness activities" mean the same as defined in RCW 48.43.005.

**Sec. 8.** RCW 48.46.064 and 2006 c 100 s 5 are each amended to read as follows:

(1) Except for health benefit plans covered under RCW 48.46.063, premium rates for health benefit plans for individuals shall be subject to the following provisions:

(a) The health maintenance organization shall develop its rates based on an adjusted community rate and may only vary the adjusted community rate for:

- (i) Geographic area;
- (ii) Family size;
- (iii) Age;
- (iv) Tenure discounts; and
- (v) Wellness activities.

(b) The adjustment for age in (a)(iii) of this subsection may not use age brackets smaller than five-year increments which shall begin with age twenty and end with age sixty-five. Individuals under the age of twenty shall be treated as those age twenty.

(c) The health maintenance organization shall be permitted to develop separate rates for individuals age sixty-five or older for coverage for which medicare is the primary payer and coverage for which medicare is not the primary payer. Both rates shall be subject to the requirements of this subsection.

(d) Except as provided in subsection (2) of this section, the permitted rates for any age group shall be no more than four hundred twenty-five percent of the lowest rate for all age groups on January 1, 1996, four hundred percent on January 1, 1997, and three hundred seventy-five percent on January 1, 2000, and thereafter.

(e) A discount for wellness activities shall be permitted to reflect actuarially justified differences in utilization or cost attributed to such programs.

(f) The rate charged for a health benefit plan offered under this section may not be adjusted more frequently than annually except that the premium may be changed to reflect:

- (i) Changes to the family composition;
- (ii) Changes to the health benefit plan requested by the individual; or
- (iii) Changes in government requirements affecting the health benefit plan.

(g) For the purposes of this section, a health benefit plan that contains a restricted network provision shall not be considered similar coverage to a health benefit plan that does not contain such a provision, provided that the restrictions of benefits to network providers result in substantial differences in claims costs. This subsection does not restrict or enhance the portability of benefits as provided in RCW 48.43.015.

(h) A tenure discount for continuous enrollment in the health plan of two years or more may be offered, not to exceed ten percent.

(2) Adjusted community rates established under this section shall pool the medical experience of all individuals purchasing coverage, except individuals purchasing coverage under RCW 48.46.063, and shall not be required to be pooled with the medical

experience of health benefit plans offered to small employers under RCW 48.46.066. Carriers may treat young adults and products developed specifically for them consistent with RCW 48.43.041(3) as a single-banded experience pool for purposes of establishing rates. The rates established for this age group are not subject to subsection (1)(d) of this section.

(3) As used in this section and RCW 48.46.066, "health benefit plan," "adjusted community rate," "small employer," and "wellness activities" mean the same as defined in RCW 48.43.005.

**Sec. 9.** RCW 48.20.029 and 2006 c 100 s 2 are each amended to read as follows:

(1) Premiums for health benefit plans for individuals who purchase the plan as a member of a purchasing pool:

(a) Consisting of five hundred or more individuals affiliated with a particular industry;

(b) To whom care management services are provided as a benefit of pool membership; and

(c) Which allows contributions from more than one employer to be used towards the purchase of an individual's health benefit plan; shall be calculated using the adjusted community rating method that spreads financial risk across the entire purchasing pool of which the individual is a member. All such rates shall conform to the following:

(i) The insurer shall develop its rates based on an adjusted community rate and may only vary the adjusted community rate for:

- (A) Geographic area;
- (B) Family size;
- (C) Age;
- (D) Tenure discounts; and
- (E) Wellness activities.

(ii) The adjustment for age in (c)(i)(C) of this subsection may not use age brackets smaller than five-year increments which shall begin with age twenty and end with age sixty-five. Individuals under the age of twenty shall be treated as those age twenty.

(iii) The insurer shall be permitted to develop separate rates for individuals age sixty-five or older for coverage for which medicare is the primary payer, and coverage for which medicare is not the primary payer. Both rates are subject to the requirements of this subsection.

(iv) Except as provided in subsection (2) of this section, the permitted rates for any age group shall be no more than four hundred twenty-five percent of the lowest rate for all age groups on January 1, 1996, four hundred percent on January 1, 1997, and three hundred seventy-five percent on January 1, 2000, and thereafter.

(v) A discount for wellness activities shall be permitted to reflect actuarially justified differences in utilization or cost attributed to such programs not to exceed twenty percent.

(vi) The rate charged for a health benefit plan offered under this section may not be adjusted more frequently than annually except that the premium may be changed to reflect:

- (A) Changes to the family composition;
- (B) Changes to the health benefit plan requested by the individual; or
- (C) Changes in government requirements affecting the health benefit plan.

(vii) For the purposes of this section, a health benefit plan that contains a restricted network provision shall not be considered similar coverage to a health benefit plan that does not contain such a provision, provided that the restrictions of benefits to network providers result in substantial differences in claims costs. This subsection does not restrict or enhance the portability of benefits as provided in RCW 48.43.015.

(viii) A tenure discount for continuous enrollment in the health plan of two years or more may be offered, not to exceed ten percent.

(2) Adjusted community rates established under this section shall not be required to be pooled with the medical experience of health benefit plans offered to small employers under RCW 48.21.045. Carriers may treat young adults and products developed specifically for them consistent with RCW 48.43.041(3) as a single-banded experience pool for purposes of establishing rates. The rates established for this age group are not subject to subsection (1)(c)(iv) of this section.

(3) As used in this section, "health benefit plan," "adjusted community rates," and "wellness activities" mean the same as defined in RCW 48.43.005.

**NEW SECTION. Sec. 10.** A new section is added to chapter 48.43 RCW to read as follows:

The office of the insurance commissioner shall make available educational and outreach materials targeted to young adults age nineteen to thirty-four years old, as funding becomes available. Education and outreach efforts shall focus on educating young consumers on the importance and value of health insurance, including educational materials, public service messages, and other outreach activities. The commissioner is authorized to fund these activities with grants, donations, in-kind contributions, or other funding that may be available."

Correct the title.

#### POINT OF ORDER

Representative Hudgins requested a scope and object ruling on amendment (110) to House Bill No. 2117.

#### SPEAKER'S RULING

Mr. Speaker (Representative Morris presiding): "House Bill NO. 2117 is entitled "An act relating to the basic health plan." This bill amends several sections of RCW 70.47.

The bill would create a new category of nonsubsidized Basic Health Plan enrollee, an economic recovery enrollee. To qualify, the enrollee must be recently involuntarily unemployed, or be receiving unemployment compensation benefits. Economic recovery enrollees would receive their coverage through managed health care systems contracting with the Basic Health Plan.

Amendment (110) would exclude persons between the ages of nineteen and thirty four who qualify for coverage under newly authorized health plans for young adults in the private health insurance market from coverage as a subsidized Basic Health Plan enrollee. It amends the statutes governing the individual market under Title 48 RCW.

The amendment would exceed the scope and title of House Bill No. 2117 by authorizing a new individual health plan option that will be offered in the private health insurance market under Title 48 RCW. The new health plan option would not be offered through, or limited to, Basic Health Plan enrollees.

The good gentleman's point of order is well taken."

Representative Ericksen moved the adoption of amendment (103):

On page 8, after line 7, insert the following:

"(h) To provide subsidized and economic recovery enrollees a stipend sufficient to provide the same level of subsidy as would otherwise have been available through the basic health plan for subsidized and economic recovery enrollees who wish to purchase coverage through an employer's plan, or the individual health insurance market, including a high deductible health plan in conjunction with a health savings account."

Representative Ericksen spoke in favor of the adoption of the amendment.

Representative Cody spoke against the adoption of the amendment.

The Speaker (Representative Morris presiding) divided the House. The result was 35 - YEAS; 62 - NAYS. The amendment was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody and Ericksen spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 2117.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2117 and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Conway, Cox, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Klippert and Shea.

HOUSE BILL NO. 2117, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1792, by Representatives Dickerson, O'Brien, Hurst, Morrell, Orwall, Green, Dammeier, Klippert, Walsh, Kelley and Ormsby**

**Establishing search and arrest authority provisions of offenders by department of corrections personnel.**

There being no objection, the substitute by the Committee on Human Services was substituted for House Bill No. 1792 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1792 was read the second time.

With the consent of the House, amendments (094) and (095) were withdrawn.

Representative Pearson moved the adoption of amendment (096):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9.94A.631 and 1984 c 209 s 11 are each amended to read as follows:

(1) If an offender violates any condition or requirement of a sentence, a community corrections officer may arrest or cause the arrest of the offender without a warrant, pending a determination by the court or a department of corrections hearing officer. If there is reasonable cause to believe that an offender has violated a condition or requirement of the sentence, a community corrections officer may require an offender ((may be required)) to submit to a search and seizure of the offender's person, residence, automobile, or other personal property.

(2) For the safety and security of department staff, an offender may be required to submit to pat searches, or other limited security searches, by community corrections officers, correctional officers, and other agency approved staff, without reasonable cause, when in or on department premises, grounds, facilities, or vehicles, or while preparing to enter department premises, grounds, facilities, or vehicles. Pat searches of offenders shall be conducted only by staff who are the same gender as the offender, except in emergency situations.

(3) A community corrections officer may also arrest an offender for any crime committed in his or her presence. The facts and circumstances of the conduct of the offender shall be reported by the community corrections officer, with recommendations, to the court or department of corrections hearing officer.

If a community corrections officer arrests or causes the arrest of an offender under this section, the offender shall be confined and detained in the county jail of the county in which the offender was taken into custody, and the sheriff of that county shall receive and keep in the county jail, where room is available, all prisoners delivered to the jail by the community corrections officer, and such offenders shall not be released from custody on bail or personal recognizance, except upon approval of the court or authorized department staff, pursuant to a written order."

Representatives Pearson and Dickerson spoke in favor of the adoption of the amendment.

Amendment (096) was adopted. The bill was ordered engrossed

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dickerson, Dammeier and Pearson spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1792.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1792 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1792, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1025, by Representatives Armstrong, Upthegrove and Wallace**

**Requiring disclosure of certain information relating to higher education course materials.**

There being no objection, the substitute by the Committee on Education Appropriations was substituted for House Bill No. 1025 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1025 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Armstrong spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1025.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1025 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1025, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1059, by Representatives Goodman, Kelley and Rodne**

**Making technical corrections to various statutes at the request of the statute law committee.**

The bill was read the second time.

Representative Goodman moved the adoption of amendment (128):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 13.40.210 and 2007 c 203 s 1 and 2007 c 199 s 13 are each reenacted and amended to read as follows:

(1) The secretary shall set a release date for each juvenile committed to its custody. The release date shall be within the prescribed range to which a juvenile has been committed under RCW 13.40.0357 or 13.40.030 except as provided in RCW 13.40.320 concerning offenders the department determines are eligible for the

juvenile offender basic training camp program. Such dates shall be determined prior to the expiration of sixty percent of a juvenile's minimum term of confinement included within the prescribed range to which the juvenile has been committed. The secretary shall release any juvenile committed to the custody of the department within four calendar days prior to the juvenile's release date or on the release date set under this chapter. Days spent in the custody of the department shall be tolled by any period of time during which a juvenile has absented himself or herself from the department's supervision without the prior approval of the secretary or the secretary's designee.

(2) The secretary shall monitor the average daily population of the state's juvenile residential facilities. When the secretary concludes that in-residence population of residential facilities exceeds one hundred five percent of the rated bed capacity specified in statute, or in absence of such specification, as specified by the department in rule, the secretary may recommend reductions to the governor. On certification by the governor that the recommended reductions are necessary, the secretary has authority to administratively release a sufficient number of offenders to reduce in-residence population to one hundred percent of rated bed capacity. The secretary shall release those offenders who have served the greatest proportion of their sentence. However, the secretary may deny release in a particular case at the request of an offender, or if the secretary finds that there is no responsible custodian, as determined by the department, to whom to release the offender, or if the release of the offender would pose a clear danger to society. The department shall notify the committing court of the release at the time of release if any such early releases have occurred as a result of excessive in-residence population. In no event shall an offender adjudicated of a violent offense be granted release under the provisions of this subsection.

(3)(a) Following the release of any juvenile under subsection (1) of this section, the secretary may require the juvenile to comply with a program of parole to be administered by the department in his or her community which shall last no longer than eighteen months, except that in the case of a juvenile sentenced for rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree, or indecent liberties with forcible compulsion, the period of parole shall be twenty-four months and, in the discretion of the secretary, may be up to thirty-six months when the secretary finds that an additional period of parole is necessary and appropriate in the interests of public safety or to meet the ongoing needs of the juvenile. A parole program is mandatory for offenders released under subsection (2) of this section and for offenders who receive a juvenile residential commitment sentence of theft of a motor vehicle ((1)), possession of a stolen motor vehicle, or taking a motor vehicle without permission 1. The decision to place an offender on parole shall be based on an assessment by the department of the offender's risk for reoffending upon release. The department shall prioritize available parole resources to provide supervision and services to offenders at moderate to high risk for reoffending.

(b) The secretary shall, for the period of parole, facilitate the juvenile's reintegration into his or her community and to further this goal shall require the juvenile to refrain from possessing a firearm or using a deadly weapon and refrain from committing new offenses and may require the juvenile to: (i) Undergo available medical, psychiatric, drug and alcohol, sex offender, mental health, and other offense-related treatment services; (ii) report as directed to a parole officer and/or designee; (iii) pursue a course of study, vocational training, or employment; (iv) notify the parole officer of the current address where he or she resides; (v) be present at a particular address during specified hours; (vi) remain within prescribed geographical boundaries; (vii) submit to electronic monitoring; (viii) refrain from

using illegal drugs and alcohol, and submit to random urinalysis when requested by the assigned parole officer; (ix) refrain from contact with specific individuals or a specified class of individuals; (x) meet other conditions determined by the parole officer to further enhance the juvenile's reintegration into the community; (xi) pay any court-ordered fines or restitution; and (xii) perform community restitution. Community restitution for the purpose of this section means compulsory service, without compensation, performed for the benefit of the community by the offender. Community restitution may be performed through public or private organizations or through work crews.

(c) The secretary may further require up to twenty-five percent of the highest risk juvenile offenders who are placed on parole to participate in an intensive supervision program. Offenders participating in an intensive supervision program shall be required to comply with all terms and conditions listed in (b) of this subsection and shall also be required to comply with the following additional terms and conditions: (i) Obey all laws and refrain from any conduct that threatens public safety; (ii) report at least once a week to an assigned community case manager; and (iii) meet all other requirements imposed by the community case manager related to participating in the intensive supervision program. As a part of the intensive supervision program, the secretary may require day reporting.

(d) After termination of the parole period, the juvenile shall be discharged from the department's supervision.

(4)(a) The department may also modify parole for violation thereof. If, after affording a juvenile all of the due process rights to which he or she would be entitled if the juvenile were an adult, the secretary finds that a juvenile has violated a condition of his or her parole, the secretary shall order one of the following which is reasonably likely to effectuate the purpose of the parole and to protect the public: (i) Continued supervision under the same conditions previously imposed; (ii) intensified supervision with increased reporting requirements; (iii) additional conditions of supervision authorized by this chapter; (iv) except as provided in (a)(v) and (vi) of this subsection, imposition of a period of confinement not to exceed thirty days in a facility operated by or pursuant to a contract with the state of Washington or any city or county for a portion of each day or for a certain number of days each week with the balance of the days or weeks spent under supervision; (v) the secretary may order any of the conditions or may return the offender to confinement for the remainder of the sentence range if the offense for which the offender was sentenced is rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree, indecent liberties with forcible compulsion, or a sex offense that is also a serious violent offense as defined by RCW 9A.030; and (vi) the secretary may order any of the conditions or may return the offender to confinement for the remainder of the sentence range if the youth has completed the basic training camp program as described in RCW 13.40.320.

(b) The secretary may modify parole and order any of the conditions or may return the offender to confinement for up to twenty-four weeks if the offender was sentenced for a sex offense as defined under RCW 9A.44.130 and is known to have violated the terms of parole. Confinement beyond thirty days is intended to only be used for a small and limited number of sex offenders. It shall only be used when other graduated sanctions or interventions have not been effective or the behavior is so egregious it warrants the use of the higher level intervention and the violation: (i) Is a known pattern of behavior consistent with a previous sex offense that puts the youth at high risk for reoffending sexually; (ii) consists of sexual behavior that is determined to be predatory as defined in RCW 71.09.020; or (iii) requires a review under chapter 71.09 RCW, due to a recent

overt act. The total number of days of confinement for violations of parole conditions during the parole period shall not exceed the number of days provided by the maximum sentence imposed by the disposition for the underlying offense pursuant to RCW 13.40.0357. The department shall not aggregate multiple parole violations that occur prior to the parole revocation hearing and impose consecutive twenty-four week periods of confinement for each parole violation. The department is authorized to engage in rule making pursuant to chapter 34.05 RCW, to implement this subsection, including narrowly defining the behaviors that could lead to this higher level intervention.

(c) If the department finds that any juvenile in a program of parole has possessed a firearm or used a deadly weapon during the program of parole, the department shall modify the parole under (a) of this subsection and confine the juvenile for at least thirty days. Confinement shall be in a facility operated by or pursuant to a contract with the state or any county.

(5) A parole officer of the department of social and health services shall have the power to arrest a juvenile under his or her supervision on the same grounds as a law enforcement officer would be authorized to arrest the person.

(6) If so requested and approved under chapter 13.06 RCW, the secretary shall permit a county or group of counties to perform functions under subsections (3) through (5) of this section.

**Sec. 2.** RCW 46.09.170 and 2007 c 522 s 953 and 2007 c 241 s 16 are each reenacted to read as follows:

(1) From time to time, but at least once each year, the state treasurer shall refund from the motor vehicle fund one percent of the motor vehicle fuel tax revenues collected under chapter 82.36 RCW, based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (c) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; and (e) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011, and thereafter, less proper deductions for refunds and costs of collection as provided in RCW 46.68.090.

(2) The treasurer shall place these funds in the general fund as follows:

(a) Thirty-six percent shall be credited to the ORV and nonhighway vehicle account and administered by the department of natural resources solely for acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities, and information programs and maintenance of nonhighway roads;

(b) Three and one-half percent shall be credited to the ORV and nonhighway vehicle account and administered by the department of fish and wildlife solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and the maintenance of nonhighway roads;

(c) Two percent shall be credited to the ORV and nonhighway vehicle account and administered by the parks and recreation commission solely for the acquisition, planning, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities; and

(d) Fifty-eight and one-half percent shall be credited to the nonhighway and off-road vehicle activities program account to be administered by the board for planning, acquisition, development, maintenance, and management of ORV, nonmotorized, and nonhighway road recreation facilities and for education, information, and law enforcement programs. The funds under this subsection shall be expended in accordance with the following limitations:



(i) Not more than thirty percent may be expended for education, information, and law enforcement programs under this chapter;

(ii) Not less than seventy percent may be expended for ORV, nonmotorized, and nonhighway road recreation facilities. Except as provided in (d)(iii) of this subsection, of this amount:

(A) Not less than thirty percent, together with the funds the board receives under RCW 46.09.110, may be expended for ORV recreation facilities;

(B) Not less than thirty percent may be expended for nonmotorized recreation facilities. Funds expended under this subsection (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation facilities funds; and

(C) Not less than thirty percent may be expended for nonhighway road recreation facilities;

(iii) The board may waive the minimum percentage cited in (d)(ii) of this subsection due to insufficient requests for funds or projects that score low in the board's project evaluation. Funds remaining after such a waiver must be allocated in accordance with board policy.

(3) On a yearly basis an agency may not, except as provided in RCW 46.09.110, expend more than ten percent of the funds it receives under this chapter for general administration expenses incurred in carrying out this chapter.

(4) During the 2007-09 fiscal biennium, the legislature may appropriate such amounts as reflect the excess fund balance in the NOVA account to the department of natural resources for planning and designing consistent off-road vehicle signage at department-managed recreation sites, and for planning recreation opportunities on department-managed lands in the Reiter block and Ahtanum state forest. This appropriation is not required to follow the specific distribution specified in subsection (2) of this section.

**Sec. 3.** RCW 49.60.040 and 2007 c 317 s 2 and 2007 c 187 s 4 are each reenacted to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers, or any group of persons; it includes any owner, lessee, proprietor, manager, agent, or employee, whether one or more natural persons; and further includes any political or civil subdivisions of the state and any agency or instrumentality of the state or of any political or civil subdivision thereof.

(2) "Commission" means the Washington state human rights commission.

(3) "Employer" includes any person acting in the interest of an employer, directly or indirectly, who employs eight or more persons, and does not include any religious or sectarian organization not organized for private profit.

(4) "Employee" does not include any individual employed by his or her parents, spouse, or child, or in the domestic service of any person.

(5) "Labor organization" includes any organization which exists for the purpose, in whole or in part, of dealing with employers concerning grievances or terms or conditions of employment, or for other mutual aid or protection in connection with employment.

(6) "Employment agency" includes any person undertaking with or without compensation to recruit, procure, refer, or place employees for an employer.

(7) "Marital status" means the legal status of being married, single, separated, divorced, or widowed.

(8) "National origin" includes "ancestry".

(9) "Full enjoyment of" includes the right to purchase any service, commodity, or article of personal property offered or sold

on, or by, any establishment to the public, and the admission of any person to accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement, without acts directly or indirectly causing persons of any particular race, creed, color, sex, sexual orientation, national origin, or with any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability, to be treated as not welcome, accepted, desired, or solicited.

(10) "Any place of public resort, accommodation, assemblage, or amusement" includes, but is not limited to, any place, licensed or unlicensed, kept for gain, hire, or reward, or where charges are made for admission, service, occupancy, or use of any property or facilities, whether conducted for the entertainment, housing, or lodging of transient guests, or for the benefit, use, or accommodation of those seeking health, recreation, or rest, or for the burial or other disposition of human remains, or for the sale of goods, merchandise, services, or personal property, or for the rendering of personal services, or for public conveyance or transportation on land, water, or in the air, including the stations and terminals thereof and the garaging of vehicles, or where food or beverages of any kind are sold for consumption on the premises, or where public amusement, entertainment, sports, or recreation of any kind is offered with or without charge, or where medical service or care is made available, or where the public gathers, congregates, or assembles for amusement, recreation, or public purposes, or public halls, public elevators, and public washrooms of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants, or any public library or educational institution, or schools of special instruction, or nursery schools, or day care centers or children's camps: PROVIDED, That nothing contained in this definition shall be construed to include or apply to any institute, bona fide club, or place of accommodation, which is by its nature distinctly private, including fraternal organizations, though where public use is permitted that use shall be covered by this chapter; nor shall anything contained in this definition apply to any educational facility, columbarium, crematory, mausoleum, or cemetery operated or maintained by a bona fide religious or sectarian institution.

(11) "Real property" includes buildings, structures, dwellings, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums, and hereditaments, corporeal and incorporeal, or any interest therein.

(12) "Real estate transaction" includes the sale, appraisal, brokering, exchange, purchase, rental, or lease of real property, transacting or applying for a real estate loan, or the provision of brokerage services.

(13) "Dwelling" means any building, structure, or portion thereof that is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land that is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

(14) "Sex" means gender.

(15) "Sexual orientation" means heterosexuality, homosexuality, bisexuality, and gender expression or identity. As used in this definition, "gender expression or identity" means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth.

(16) "Aggrieved person" means any person who: (a) Claims to have been injured by an unfair practice in a real estate transaction; or (b) believes that he or she will be injured by an unfair practice in a real estate transaction that is about to occur.

(17) "Complainant" means the person who files a complaint in a real estate transaction.

(18) "Respondent" means any person accused in a complaint or amended complaint of an unfair practice in a real estate transaction.

(19) "Credit transaction" includes any open or closed end credit transaction, whether in the nature of a loan, retail installment transaction, credit card issue or charge, or otherwise, and whether for personal or for business purposes, in which a service, finance, or interest charge is imposed, or which provides for repayment in scheduled payments, when such credit is extended in the regular course of any trade or commerce, including but not limited to transactions by banks, savings and loan associations or other financial lending institutions of whatever nature, stock brokers, or by a merchant or mercantile establishment which as part of its ordinary business permits or provides that payment for purchases of property or service therefrom may be deferred.

(20) "Families with children status" means one or more individuals who have not attained the age of eighteen years being domiciled with a parent or another person having legal custody of such individual or individuals, or with the designee of such parent or other person having such legal custody, with the written permission of such parent or other person. Families with children status also applies to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen years.

(21) "Covered multifamily dwelling" means: (a) Buildings consisting of four or more dwelling units if such buildings have one or more elevators; and (b) ground floor dwelling units in other buildings consisting of four or more dwelling units.

(22) "Premises" means the interior or exterior spaces, parts, components, or elements of a building, including individual dwelling units and the public and common use areas of a building.

(23) "Dog guide" means a dog that is trained for the purpose of guiding blind persons or a dog that is trained for the purpose of assisting hearing impaired persons.

(24) "Service animal" means an animal that is trained for the purpose of assisting or accommodating a sensory, mental, or physical disability of a person with a disability.

(25)(a) "Disability" means the presence of a sensory, mental, or physical impairment that:

- (i) Is medically cognizable or diagnosable; or
- (ii) Exists as a record or history; or
- (iii) Is perceived to exist whether or not it exists in fact.

(b) A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, or whether or not it limits the ability to work generally or work at a particular job or whether or not it limits any other activity within the scope of this chapter.

(c) For purposes of this definition, "impairment" includes, but is not limited to:

(i) Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitor-urinary, hemic and lymphatic, skin, and endocrine; or

(ii) Any mental, developmental, traumatic, or psychological disorder, including but not limited to cognitive limitation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(d) Only for the purposes of qualifying for reasonable accommodation in employment, an impairment must be known or shown through an interactive process to exist in fact and:

(i) The impairment must have a substantially limiting effect upon the individual's ability to perform his or her job, the individual's ability to apply or be considered for a job, or the individual's access

to equal benefits, privileges, or terms or conditions of employment; or

(ii) The employee must have put the employer on notice of the existence of an impairment, and medical documentation must establish a reasonable likelihood that engaging in job functions without an accommodation would aggravate the impairment to the extent that it would create a substantially limiting effect.

(e) For purposes of (d) of this subsection, a limitation is not substantial if it has only a trivial effect.

(26) "Honorably discharged veteran or military status" means a person who is:

(a) A veteran, as defined in RCW 41.04.007; or

(b) An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.

**Sec. 4.** RCW 66.20.310 and 2008 c 94 s 11 and 2008 c 41 s 3 are each reenacted to read as follows:

(1)(a) There shall be an alcohol server permit, known as a class 12 permit, for a manager or bartender selling or mixing alcohol, spirits, wines, or beer for consumption at an on-premises licensed facility.

(b) There shall be an alcohol server permit, known as a class 13 permit, for a person who only serves alcohol, spirits, wines, or beer for consumption at an on-premises licensed facility.

(c) As provided by rule by the board, a class 13 permit holder may be allowed to act as a bartender without holding a class 12 permit.

(2)(a) Effective January 1, 1997, except as provided in (d) of this subsection, every alcohol server employed, under contract or otherwise, at a retail licensed premise shall have issued to them a class 12 or class 13 permit.

(b) Every class 12 and class 13 permit issued shall be issued in the name of the applicant and no other person may use the permit of another permit holder. The holder shall present the permit upon request to inspection by a representative of the board or a peace officer. The class 12 or class 13 permit shall be valid for employment at any retail licensed premises described in (a) of this subsection.

(c) Except as provided in (d) of this subsection, no licensee holding a license as authorized by RCW 66.24.320, 66.24.330, 66.24.350, 66.24.400, 66.24.425, 66.24.450, and 66.24.570 may employ or accept the services of any person without the person first having a valid class 12 or class 13 permit.

(d) Within sixty days of initial employment, every person whose duties include the compounding, sale, service, or handling of liquor shall have a class 12 or class 13 permit.

(e) No person may perform duties that include the sale or service of alcoholic beverages on a retail licensed premises without possessing a valid alcohol server permit.

(3) A permit issued by a training entity under this section is valid for employment at any retail licensed premises described in subsection (2)(a) of this section for a period of five years unless suspended by the board.

(4) The board may suspend or revoke an existing permit if any of the following occur:

(a) The applicant or permittee has been convicted of violating any of the state or local intoxicating liquor laws of this state or has been convicted at any time of a felony; or

(b) The permittee has performed or permitted any act that constitutes a violation of this title or of any rule of the board.

(5) The suspension or revocation of a permit under this section does not relieve a licensee from responsibility for any act of the employee or agent while employed upon the retail licensed premises. The board may, as appropriate, revoke or suspend either the permit

of the employee who committed the violation or the license of the licensee upon whose premises the violation occurred, or both the permit and the license.

(6)(a) After January 1, 1997, it is a violation of this title for any retail licensee or agent of a retail licensee as described in subsection (2)(a) of this section to employ in the sale or service of alcoholic beverages, any person who does not have a valid alcohol server permit or whose permit has been revoked, suspended, or denied.

(b) It is a violation of this title for a person whose alcohol server permit has been denied, suspended, or revoked to accept employment in the sale or service of alcoholic beverages.

(7) Grocery stores licensed under RCW 66.24.360, the primary commercial activity of which is the sale of grocery products and for which the sale and service of beer and wine for on-premises consumption with food is incidental to the primary business, and employees of such establishments, are exempt from RCW 66.20.300 through 66.20.350.

**Sec. 5.** RCW 70.105D.070 and 2008 c 329 s 921, 2008 c 329 s 920, 2008 c 329 s 919, and 2008 c 328 s 6009 are each reenacted and amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2) The following moneys shall be deposited into the state toxics control account: (a) Those revenues which are raised by the tax imposed under RCW 82.21.030 and which are attributable to that portion of the rate equal to thirty-three one-hundredths of one percent; (b) the costs of remedial actions recovered under this chapter or chapter 70.105A RCW; (c) penalties collected or recovered under this chapter; and (d) any other money appropriated or transferred to the account by the legislature. Moneys in the account may be used only to carry out the purposes of this chapter, including but not limited to the following activities:

(i) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;

(ii) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;

(iii) The hazardous waste cleanup program required under this chapter;

(iv) State matching funds required under the federal cleanup law;

(v) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(vi) State government programs for the safe reduction, recycling, or disposal of hazardous wastes from households, small businesses, and agriculture;

(vii) Hazardous materials emergency response training;

(viii) Water and environmental health protection and monitoring programs;

(ix) Programs authorized under chapter 70.146 RCW;

(x) A public participation program, including regional citizen advisory committees;

(xi) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with cleanup standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both (A) a substantially more expeditious or enhanced cleanup than would otherwise occur, and (B) the prevention or mitigation of unfair economic hardship; and

(xii) Development and demonstration of alternative management technologies designed to carry out the hazardous waste management priorities of RCW 70.105.150.

(3) The following moneys shall be deposited into the local toxics control account: Those revenues which are raised by the tax imposed under RCW 82.21.030 and which are attributable to that portion of the rate equal to thirty-seven one-hundredths of one percent.

(a) Moneys deposited in the local toxics control account shall be used by the department for grants or loans to local governments for the following purposes in descending order of priority:

(i) Remedial actions;

(ii) Hazardous waste plans and programs under chapter 70.105 RCW;

(iii) Solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

(iv) Funds for a program to assist in the assessment and cleanup of sites of methamphetamine production, but not to be used for the initial containment of such sites, consistent with the responsibilities and intent of RCW 69.50.511; and

(v) Cleanup and disposal of hazardous substances from abandoned or derelict vessels, defined for the purposes of this section as vessels that have little or no value and either have no identified owner or have an identified owner lacking financial resources to clean up and dispose of the vessel, that pose a threat to human health or the environment.

(b) Funds for plans and programs shall be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that is a Puget Sound partner, as defined in RCW 90.71.010, along with any project that is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310, shall, except as conditioned by RCW 70.105D.120, receive priority for any available funding for any grant or funding programs or sources that use a competitive bidding process. During the 2007-2009 fiscal biennium, moneys in the account may also be used for grants to local governments to retrofit public sector diesel equipment and for storm water planning and implementation activities.

(c) ((Funds may also be appropriated to the department of health to implement programs to reduce testing requirements under the federal safe drinking water act for public water systems. The department of health shall reimburse the account from fees assessed under RCW 70.119A.115 by June 30, 1995.

(d)) To expedite cleanups throughout the state, the department shall partner with local communities and liable parties for cleanups. The department is authorized to use the following additional strategies in order to ensure a healthful environment for future generations:

(i) The director may alter grant-matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(A) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(B) Funding would create new substantial economic development, public recreational, or habitat restoration opportunities that would not otherwise occur; or

(C) Funding would create an opportunity for acquisition and redevelopment of vacant, orphaned, or abandoned property under RCW 70.105D.040(5) that would not otherwise occur;

(ii) The use of outside contracts to conduct necessary studies;

(iii) The purchase of remedial action cost-cap insurance, when necessary to expedite multiparty clean-up efforts.

(4) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in the state and local toxics control accounts may be spent only after appropriation by statute.

(5) One percent of the moneys deposited into the state and local toxics control accounts shall be allocated only for public participation

grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. ((However, during the 1999-2001 fiscal biennium, funding may not be granted to entities engaged in lobbying activities, and applicants may not be awarded grants if their cumulative grant awards under this section exceed two hundred thousand dollars.)) No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation from either account which are not expended at the close of any biennium shall revert to the state toxics control account.

(6) No moneys deposited into either the state or local toxics control account may be used for solid waste incinerator feasibility studies, construction, maintenance, or operation, or, after January 1, 2010, for projects designed to address the restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(7) The department shall adopt rules for grant or loan issuance and performance.

(8) During the 2007-2009 fiscal biennium, the legislature may transfer from the local toxics control account to the state toxics control account such amounts as reflect excess fund balance in the account.

(9) During the 2007-2009 fiscal biennium, the local toxics control account may also be used for a standby rescue tug at Neah Bay.

**Sec. 6.** RCW 79A.55.020 and 1999 c 249 s 802 and 1999 c 151 s 1702 are each reenacted and amended to read as follows:

(1) The commission shall develop and adopt management policies for publicly owned or leased land on the rivers designated by the legislature as being a part of the state's scenic river system and within the associated river areas. The commission may adopt rules identifying river classifications which reflect the characteristics common to various segments of scenic rivers and may adopt management policies consistent with local government's shoreline management master plans appropriate for each such river classification. All such policies shall be adopted by the commission in accordance with the provisions of chapter 34.05 RCW, as now or hereafter amended. Any variance with such a policy by any public agency shall be authorized only by the approval of the ((department)) commission and shall be made only to alleviate unusual hardships unique to a given segment of the system.

(2) Any policies developed pursuant to subsection (1) of this section shall include management plans for protecting ecological, economic, recreational, aesthetic, botanical, scenic, geological, hydrological, fish and wildlife, historical, cultural, archaeological, and scientific features of the rivers designated as being in the system. Such policies shall also include management plans to encourage any nonprofit group, organization, association, person, or corporation to develop and adopt programs for the purpose of increasing fish propagation.

(3) The ((department)) commission shall identify on a river by river basis any publicly owned or leased lands which could be included in a river area of the system but which are developed in a manner unsuitable for land to be managed as part of the system. The commission shall exclude lands so identified from the provisions of any management policies implementing the provisions of this chapter.

(4) The ((department)) commission shall determine the

boundaries which shall define the river area associated with any included river. With respect to the rivers named in RCW ((79.72.080)) 79A.55.070, the ((department)) commission shall make such determination, and those determinations authorized by subsection (3) of this section, within one year of September 21, 1977.

(5) Before making a decision regarding the river area to be included in the system, a variance in policy, or the excluding of land from the provisions of the management policies, the ((department)) commission shall hold hearings in accord with chapter 34.05 RCW, with at least one public hearing to be held in the general locale of the river under consideration. The commission shall cause to be published in a newspaper of general circulation in the area which includes the river or rivers to be considered, a description, including a map showing such river or rivers, of the material to be considered at the public hearing. Such notice shall appear at least twice in the time period between two and four weeks prior to the public hearing.

The ((department)) commission shall seek and receive comments from the public regarding potential additions to the system, shall initiate studies, and may submit to any session of the legislature proposals for additions to the state scenic river system. These proposals shall be accompanied by a detailed report on the factors which, in the ((department's)) commission's judgment, make an area a worthy addition to the system."

Correct the title.

Representatives Goodman and Rodne spoke in favor of the adoption of the amendment.

Amendment (128) was adopted. The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Goodman and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1059.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1059 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Halder, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith,

Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1059, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1067, by Representatives Pedersen and Rodne**

**Creating the uniform limited partnership act.**

There being no objection, the substitute by the Committee on General Government Appropriations was substituted for House Bill No. 1067 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1067 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1067.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1067 and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Ericksen and Herrera

SUBSTITUTE HOUSE BILL NO. 1067, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1085, by Representatives Appleton,**

**Green and Dickerson**

**Concerning body piercing.**

There being no objection, the substitute by the Committee on Health Care & Wellness was substituted for House Bill No. 1085 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1085 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Appleton spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1085.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1085 and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Anderson

SUBSTITUTE HOUSE BILL NO. 1085, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1140, by Representatives Liias, Morrell, Ericks, Miloscia, Ormsby, Rolfes, Simpson and Nelson**

**Addressing the manufactured/mobile home dispute resolution program.**

There being no objection, the substitute by the Committee on Judiciary was substituted for House Bill No. 1140 and the

substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1140 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1140.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1140 and the bill passed the House by the following vote: Yeas, 68; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Flannigan, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Nelson, O'Brien, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Van De Wege, Wallace, Walsh, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Finn, Goodman, Herrera, Hinkle, Hope, Johnson, Kristiansen, McCune, Morris, Orcutt, Pearson, Roach, Ross, Schmick, Shea, Short, Upthegrove and Warnick.

SUBSTITUTE HOUSE BILL NO. 1140, having received the constitutional majority, was declared passed.

### MESSAGES FROM THE SENATE

March 5, 2009

Mr. Speaker:

The President has signed SUBSTITUTE HOUSE BILL NO. 2061, and the same is herewith transmitted.

Thomas Hoemann, Secretary

March 5, 2009

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5211,  
SUBSTITUTE SENATE BILL NO. 5212,  
SENATE BILL NO. 5297,  
SUBSTITUTE SENATE BILL NO. 5369,

SUBSTITUTE SENATE BILL NO. 5451,  
SENATE BILL NO. 5511,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

### SECOND READING

**HOUSE BILL NO. 1180, by Representatives Dickerson, Hudgins, Campbell, Dunshee, Pedersen, Hunt, Rolfes, Appleton, Moeller, Kagi, Van De Wege, Hunter, Cody, Chase, Green, Morrell, Pettigrew, White, Williams, Simpson and Kenney**

#### Regarding the use of bisphenol A.

There being no objection, the substitute by the Committee on General Government Appropriations was substituted for House Bill No. 1180 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1180 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dickerson, Hunter, Chase, Campbell and Rolfes spoke in favor of the passage of the bill.

Representatives Shea, Orcutt, Hinkle and Ericksen spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1180.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1180 and the bill passed the House by the following vote: Yeas, 76; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Chandler, Condotta, Cox, Crouse, DeBolt, Haler, Hinkle, Hurst, Johnson,

Klippert, Kretz, Kristiansen, McCune, Orcutt, Pearson, Ross, Schmick, Shea, Short and Warnick.

SECOND SUBSTITUTE HOUSE BILL NO. 1180, having received the constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on SECOND SUBSTITUTE HOUSE BILL NO. 1180.

CHRISTOPHER HURST, 31<sup>st</sup> District

#### SECOND READING

**HOUSE BILL NO. 1234, by Representatives Morrell, O'Brien, Appleton, Kelley, Ericks, Lias, Pedersen, Williams, Kenney and Moeller**

**Creating the new crime of abandonment of a dependent person in the fourth degree.**

There being no objection, the substitute by the Committee on Public Safety & Emergency Preparedness was substituted for House Bill No. 1234 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1234 was read the second time.

Representative Hope moved the adoption of amendment (077):

On page 2, line 7, after "of" strike "six" and insert "eight"

Representatives Hope and Morrell spoke in favor of the adoption of the amendment.

Amendment (077) was adopted.

With the consent of the House, amendment (081) was withdrawn.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Morrell and Pearson spoke in favor of the passage of the bill.

Representatives Kagi and Goodman spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Engrossed

Substitute House Bill No. 1234.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1234 and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Dammeier, Darneille, DeBolt, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Haigh, Haler, Herrera, Hope, Hudgins, Hunter, Hurst, Jacks, Johnson, Kelley, Kessler, Klippert, Kretz, Kristiansen, Lias, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, O'Brien, Orcutt, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Schmick, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams and Mr. Speaker.

Voting nay: Representatives Appleton, Armstrong, Carlyle, Condotta, Cox, Dickerson, Finn, Flannigan, Goodman, Grant-Herriot, Green, Hasegawa, Hinkle, Hunt, Kagi, Kenney, Kirby, Linville, Maxwell, Nelson, Ormsby, Roberts, Santos, Seaquist, Walsh, Warnick and Wood.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1234, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1075, by Representatives Rolfes, Seaquist, Appleton, Green, McCoy, Conway, Darneille, Williams, Campbell, McCune, Simpson and Morrell**

**Enacting the interstate compact on educational opportunity for military children.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rolfes and Priest spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1075.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1075 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox,

Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams and Wood.

Absent: Mr. Speaker.

HOUSE BILL NO. 1075, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1090, by Representatives McCoy, Appleton, Chase, Van De Wege, Hunt and Moeller**

**Concerning human remains.**

There being no objection, the substitute by the Committee on General Government Appropriations was substituted for House Bill No. 1090 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1090 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative McCoy spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1090.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1090 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt,

Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1090, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1095, by Representatives Hasegawa, Green, Nelson, Kelley, Kenney, Chase, Conway and Hudgins**

**Increasing small business access to state contracting opportunities.**

There being no objection, the substitute by the Committee on General Government Appropriations was substituted for House Bill No. 1095 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1095 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hasegawa and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1095.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1095 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege,



Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1095, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1135, by Representatives McCoy, Chase, Kenney, Hinkle and Nelson**

**Exempting agricultural anaerobic digesters from solid waste handling permitting. Revised for 1st Substitute: Regarding exemptions from solid waste handling permit requirements.**

There being no objection, the substitute by the Committee on General Government Appropriations was substituted for House Bill No. 1135 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1135 was read the second time.

Representative Orcutt moved the adoption of amendment (137):

On page 2, line 19, after "section;" strike "and"

On page 2, line 20, after "(g)" insert "The jurisdictional health department must approve all nonmanure material prior to its processing; and  
(h)"

Representative Orcutt spoke in favor of the adoption of the amendment.

Representative Rolfes spoke against the adoption of the amendment.

Amendment (137) was not adopted.

Representative Shea moved adoption of amendment (138):

On page 2, line 19, after "section;" strike "and"

On page 2, line 23, after "testing" insert "; and  
(h) The anaerobic digester must not process any fish or fish products that are listed under the federal endangered species act"

Representative Shea spoke in favor of the adoption of the amendment.

Representative Rolfes spoke against the adoption of the amendment.

Amendment (138) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCoy and Short spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1135.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1135 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1135, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1202, by Representatives Hurst, Bailey, Kelley, Roach, Kirby and Parker**

**Allowing noninsurance benefits as part of life insurance policies.**

There being no objection, the substitute by the Committee on Environmental Health was substituted for House Bill No. 1202 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1202 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hurst and Bailey spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1202.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1202 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1202, having received the constitutional majority, was declared passed.

### HOUSE BILL NO. 1205, by Representatives Van De Wege, Rolfes, Haigh and Williams

#### Adding one judge to division two of the court of appeals.

There being no objection, the substitute by the Committee on Ways & Means was substituted for House Bill No. 1205 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1205 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Van De Wege and Dammeier spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1205.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute

House Bill No. 1205 and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Anderson.

SUBSTITUTE HOUSE BILL NO. 1205, having received the constitutional majority, was declared passed.

### HOUSE BILL NO. 1208, by Representatives Takko and Alexander

#### Concerning property tax administration.

There being no objection, the substitute by the Committee on Finance was substituted for House Bill No. 1208 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1208 was read the second time.

Representative Orcutt moved the adoption of amendment (143):

On page 10, beginning on line 1, strike "((Except in cases wherein the county legislative authority acts upon its own motion, No))" and insert "Except in cases wherein the county legislative authority acts upon its own motion, no"

Representatives Orcutt and Takko spoke in favor of the adoption of the amendment.

Amendment (143) was adopted. The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Engrossed Second Substitute House Bill No. 1208.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1208 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Halder, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1208, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1251, by Representatives Shea, Goodman, Ross, O'Brien, Rodne, Simpson and Kelley**

**Addressing the release of certified abstracts of full driving records.**

The bill was read the second time.

Representative Shea moved the adoption of amendment (078):

On page 3, beginning on line 11, after "attorney," strike all material through "agencies," on line 12

Representatives Shea and Pedersen spoke in favor of the adoption of the amendment.

Amendment (078) was adopted. The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shea and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1251.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 1251 and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Halder, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Wood and Mr. Speaker.

Voting nay: Representatives Liias and Williams.

ENGROSSED HOUSE BILL NO. 1251 received the constitutional majority, was declared passed.

**POINT OF PERSONAL PRIVILEGE**

Representative Herrera congratulated Representative Shea on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

**SECOND READING**

**HOUSE BILL NO. 1252, by Representatives Kenney, Smith, Bailey, Seaquist, Halder, Kristiansen, Kelley and Herrera**

**Concerning the community economic revitalization board's project selection criteria.**

There being no objection, the substitute by the Committee on Capital Budget was substituted for House Bill No. 1252 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1252 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kenney and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Second

Substitute House Bill No. 1252.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1252 and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Anderson and Condotta.

SECOND SUBSTITUTE HOUSE BILL NO. 1252, having received the constitutional majority, was declared passed.

### **HOUSE BILL NO. 1283, by Representatives Rolfes, Campbell, Kretz, Upthegrove and Ormsby**

#### **Modifying provisions regarding the operators of public water supply systems.**

There being no objection, the substitute by the Committee on Environmental Health was substituted for House Bill No. 1283 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1283 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rolfes and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1283.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute

House Bill No. 1283 and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Anderson.

SUBSTITUTE HOUSE BILL NO. 1283, having received the constitutional majority, was declared passed.

### **HOUSE BILL NO. 1292, by Representatives Newhouse, Chandler and Simpson**

#### **Authorizing waivers from the one hundred eighty-day school year requirement in order to allow four-day school weeks.**

There being no objection, the substitute by the Committee on Education Appropriations was substituted for House Bill No. 1292 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1292 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Chandler, Haigh and Cox spoke in favor of the passage of the bill.

Representative Hunter spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1292.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1292 and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel,

Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hunt, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Goodman, Hope, Hudgins, Hunter, Kristiansen, McCune, Morrell, Pearson, Roberts and Ross.

SUBSTITUTE HOUSE BILL NO. 1292, having received the constitutional majority, was declared passed.

#### **HOUSE BILL NO. 1302, by Representatives McCune and Campbell**

##### **Excluding a portion of state route number 7 from the scenic system.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McCune and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1302.

#### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1302 and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer,

Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Green.

HOUSE BILL NO. 1302, having received the constitutional majority, was declared passed.

#### **HOUSE BILL NO. 1303, by Representatives Moeller, Green and Roberts**

##### **Collecting child mortality reviews into a database.**

There being no objection, the substitute by the Committee on Health & Human Services Appropriations was substituted for House Bill No. 1303 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1303 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moeller and Hinkle spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1303.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1303 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1303, having received the constitutional majority, was declared passed.

#### **HOUSE BILL NO. 1312, by Representatives Sells,**

**Schmick, Wallace, Anderson, Driscoll, McCoy, Chase, Kenney, Carlyle, White and Roberts**

**Eliminating the exclusive authority of the University of Washington and Washington State University to offer certain engineering courses.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sells and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1312.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1312 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

HOUSE BILL NO. 1312, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1323, by Representatives Kenney, Lias, Haler, Sullivan, Sells, Hasegawa, Maxwell, Chase, Ormsby, Conway, Goodman, Morrell, Driscoll, Simpson and Orwall**

**Providing for coordination of workforce and economic development.**

There being no objection, the substitute by the Committee on Education Appropriations was substituted for House Bill No. 1323 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1323 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kenney and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1323.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1323 and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Hinkle.

SUBSTITUTE HOUSE BILL NO. 1323, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1328, by Representatives Carlyle, Morrell, Maxwell, Eddy, Anderson, Green, Van De Wege, Sells, White, Hasegawa, Wallace, Dunshee, Priest, McCoy, Dickerson, Williams, Ormsby, Finn, Lias, Kelley, Probst, Kenney, Hunt, Kessler, Pettigrew, Haigh, Goodman, Ericks, Blake, Jacks, Angel, Driscoll, Schmick, Hudgins, Hunter, Moeller, Chase, Springer, Conway, Sullivan, Rolfes, Simpson, Campbell, Santos and Roberts**

**Allowing public technical colleges to offer associate transfer degrees. Revised for 1st Substitute: Allowing public technical colleges to offer degrees that prepare students to transfer to certain bachelor degree programs.**

There being no objection, the substitute by the Committee on Education Appropriations was substituted for House Bill No. 1328 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1328 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Carlyle and Anderson spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1328.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1328 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1328, having received the constitutional majority, was declared passed.

### POINT OF PERSONAL PRIVILEGE

Representative Hudgins congratulated Representative Carlyle on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

### SECOND READING

**HOUSE BILL NO. 1355, by Representatives Probst, Quall, Kessler, Sullivan, Wallace, Maxwell, Rolfes, Springer, Green, Jacks, Carlyle, Kenney, Ormsby, Seaquist, Lias, Sells, Priest, Dammeier, Hunt, Hudgins, Morrell, Van De Wege, Moeller, Chase, Conway, Goodman, Driscoll, Simpson, Santos and Kelley**

**Establishing the opportunity internship program for high school students.**

There being no objection, the substitute by the Committee on Ways & Means was substituted for House Bill No. 1355 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1355 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Probst, Haigh, McCoy and Quall spoke in favor of the passage of the bill.

Representatives Priest, Alexander, Hinkle and Smith spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1355.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1355 and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 0.

Voting yea: Representatives Angel, Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Cox, Crouse, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Armstrong, Bailey, Chandler, Condotta, Dammeier, DeBolt, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Walsh and Warnick

SECOND SUBSTITUTE HOUSE BILL NO. 1355, having received the constitutional majority, was declared passed.

### POINT OF PERSONAL PRIVILEGE

Representative Green congratulated Representative Probst on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

### RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 2116 passed the House.

The Speaker (Representative Morris presiding) stated the question before the House to be reconsideration of the vote by which Engrossed Substitute House Bill No. 2116 passed the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2116, on reconsideration, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Conway, Cox, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Armstrong, Condotta, Crouse, DeBolt, Hinkle, Klippert, Kretz and Shea.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2116, on reconsideration, having received the constitutional majority, was declared passed.

### MESSAGES FROM THE SENATE

March 5, 2009

Mr. Speaker:

The Senate has passed SENATE BILL NO. 5540, and the same is herewith transmitted.

Thomas Hoemann, Secretary

March 5, 2009

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5030,  
SUBSTITUTE SENATE BILL NO. 5131,  
SUBSTITUTE SENATE BILL NO. 5326,  
SUBSTITUTE SENATE BILL NO. 5340,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5344,  
SUBSTITUTE SENATE BILL NO. 5368,  
SUBSTITUTE SENATE BILL NO. 5391,  
SENATE BILL NO. 5492,  
SUBSTITUTE SENATE BILL NO. 5659,  
SUBSTITUTE SENATE BILL NO. 5765,  
SUBSTITUTE SENATE BILL NO. 5795,  
SUBSTITUTE SENATE BILL NO. 6095,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

### SECOND READING

**HOUSE BILL NO. 1414, by Representatives Driscoll, Moeller, Hinkle, Cody, Sullivan, Nelson and Ormsby**

**Concerning health care assistants.**

There being no objection, the substitute by the Committee on Health & Human Services Appropriations was substituted for House Bill No. 1414 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1414 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cody, Hinkle and Driscoll spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1414.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1414 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1414, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1441, by Representatives Conway, Condotta, Armstrong, White and Eddy**



**Concerning the contractual relationships between distributors and producers of malt beverages.**

There being no objection, the substitute by the Committee on Commerce & Labor was substituted for House Bill No. 1441 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1441 was read the second time.

Representative Conway moved the adoption of amendment (131):

On page 6, beginning on line 9, after "termination" strike "pursuant to subsection (2) of this section"

On page 6, line 15, after "(8)" insert "Unless the parties otherwise agree, or the arbitrator for good cause shown orders otherwise, an arbitration conducted pursuant to subsection (7) of this section must proceed as follows: (a) The notice of intent to arbitrate must be served within forty days after the terminated distributor receives notice of terminated distribution rights; (b) The arbitration must be conducted within ninety days after service of the notice of intent to arbitrate; and (c) The arbitrator or arbitrators must issue an order within thirty days after completion of the arbitration."

(9)"

Representatives Conway and Condotta spoke in favor of the adoption of the amendment.

Amendment (131) was adopted. The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Conway and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1441.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1441 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Halder, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson,

Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1441, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1457, by Representatives Nelson and Simpson**

**Limiting the authority of boundary review boards.**

There being no objection, the substitute by the Committee on Local Government & Housing was substituted for House Bill No. 1457 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1457 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Nelson spoke in favor of the passage of the bill.

Representative Angel spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1457.

**ROLL CALL**

The Clerk called the roll on the final passage of and the bill passed the House by the following vote: Yeas, 63; Nays, 34; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roach, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Rodne, Ross, Schmick, Shea, Short, Smith, Wallace, Walsh and Warnick.

SUBSTITUTE HOUSE BILL NO. 1457, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1468, by Representatives Sullivan, Rodne and Goodman**

**Requiring rural county library district boards in counties with populations of one million five hundred thousand or more to have seven appointed members.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Sullivan and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1468.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1468 and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Anderson

HOUSE BILL NO. 1468 received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1474, by Representatives Orcutt, Wallace, Herrera and Moeller**

**Changing border county opportunity program provisions.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt and Wallace spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1474.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1474 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

HOUSE BILL NO. 1474, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1484, by Representatives Van De Wege, Orcutt, Hurst, McCoy and Blake**

**Expanding the riparian open space program to include lands that contain habitat of species that are federally listed as threatened or endangered. Revised for 2nd Substitute: Expanding the riparian open space program to include lands that contain critical habitat of threatened or endangered species.**

There being no objection, the substitute by the Committee on Capital Budget was substituted for House Bill No. 1484 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1484 was read the

second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Van De Wege and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1484.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1484 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1484, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1498, by Representatives Hunter, Blake, Kretz, Pedersen, Goodman, Williams, Carlyle, Roberts, McCune, Ericks, White, Hasegawa, Kagi, Nelson and Warnick**

**Concerning provisions governing firearms possession by persons who have been involuntarily committed.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hunter and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the

question before the House to be the final passage of House Bill No. 1498.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1498 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

HOUSE BILL NO. 1498, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1499, by Representatives Eddy, Hudgins, Springer, Anderson, Herrera, Haler, Hasegawa, McCune and Crouse**

**Concerning notice of utility facilities relocations.**

The bill was read the second time. There being no objection, the committee amendment by the Committee on Technology, Energy & Communications was adopted. (For committee amendment, see Journal, 43<sup>rd</sup> Day, February 23, 2009.)

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Eddy spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1499.

### MOTION

On motion of Representative Hinkle, Representative Walsh was excused.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1499 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

ENGROSSED HOUSE BILL NO. 1499, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1522, by Representatives Hudgins, Dunshee, Hunt, Hasegawa, Williams and Chase**

**Regarding repair and reuse of electronic products by registered collectors.**

There being no objection, the substitute by the Committee on General Government Appropriations was substituted for House Bill No. 1522 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1522 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Hudgins and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1522.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1522 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

SECOND SUBSTITUTE HOUSE BILL NO. 1522, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1529, by Representatives Seaquist, Hinkle, Morrell, Bailey, Moeller, Clibborn, Green and Cody**

**Concerning telemedicine.**

There being no objection, the substitute by the Committee on Health Care & Wellness was substituted for House Bill No. 1529 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1529 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Seaquist and Hinkle spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1529.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1529 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera,

Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

SUBSTITUTE HOUSE BILL NO. 1529, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1553, by Representatives Takko, Goodman, Williams, Hurst, Pedersen and Campbell**

**Addressing claims for damages against the state and local governmental entities.**

There being no objection, the substitute by the Committee on Judiciary was substituted for House Bill No. 1553 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1553 was read the second time.

Representative Takko moved the adoption of amendment (102):

Beginning on page 2, line 38, after "section. If" strike all material through "if" on page 3, line 2

Representative Takko spoke in favor of the adoption of the amendment.

Amendment (102) was adopted. The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Takko and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1553.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1553 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle,

Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Erickson, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1553, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1554, by Representatives Conway, Chase, Dickerson, Green, Goodman, Rolfes, Morrell, Cody, Simpson, Campbell, Ormsby, Van De Wege, Appleton, Flannigan, Seaquist, Miloscia, Hunt, Blake, Williams, Hudgins, Kenney, Priest, Sullivan, Eddy, White, Hasegawa and Wood**

**Authorizing the department of labor and industries to issue stop work orders for violations of certain workers' compensation provisions.**

There being no objection, the substitute by the Committee on Commerce & Labor was substituted for House Bill No. 1554 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1554 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Conway and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1554.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1554 and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox,

Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Walsh.

SUBSTITUTE HOUSE BILL NO. 1554, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1555, by Representatives Conway, Chase, Green, Dickerson, Rolfes, Goodman, Campbell, Morrell, Cody, Simpson, Ormsby, Van De Wege, Seaquist, Appleton, Miloscia, Hunt, Blake, Williams, Hudgins, Kenney, Sullivan, Priest, Eddy and Wood**

**Addressing the recommendations of the joint legislative task force on the underground economy in the construction industry.**

There being no objection, the substitute by the Committee on Ways & Means was substituted for House Bill No. 1555 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1555 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Conway and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1555.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1555 and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle,

Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Anderson.

Excused: Representative Walsh.

SUBSTITUTE HOUSE BILL NO. 1555, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1640, by Representatives Kessler, Armstrong, Hunt, Sells, Alexander, Appleton and Kenney**

**Modifying disclosure requirements for private investment information received by the University of Washington consolidated endowment fund.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kessler and Armstrong spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1640.

#### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1640 and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Anderson.

Excused: Representative Walsh.

HOUSE BILL NO. 1640, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1664, by Representatives Wood, Conway, Hinkle and Ormsby**

**Addressing the termination, cancellation, or nonrenewal of motorsports manufacturer and dealer franchise agreements.**

There being no objection, the substitute by the Committee on Commerce & Labor was substituted for House Bill No. 1664 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1664 was read the second time.

Representative Wood moved the adoption of amendment (136):

On page 2, line 23, after "(3)" strike all material through "(4)" on page 3, line 7

Representatives Wood and Chandler spoke in favor of the amendment of the amendment.

Amendment (136) was adopted. The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wood and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1664.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1664 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune,

Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1664, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1679, by Representatives Simpson, Van De Wege, Ericks, Williams, White, Kelley, Sells, Ross, Hope and Conway**

**Providing access to catastrophic disability medical insurance under plan 2 of the law enforcement officers' and firefighters' retirement system.**

The bill was read the second time.

Representative Ericks moved the adoption of amendment (144):

On page 2, line 28, after "(4)" insert the following:  
"As a benefit of the law enforcement officers and firefighters retirement system plan 2, in addition to the rates charged to law enforcement officers and firefighters who are totally disabled in the line of duty and receiving a retirement allowance as provided under RCW 41.26.470(8) pursuant to subsection (3) of this section, the authority shall actuarially determine and charge an amount to the law enforcement officers' and firefighters' retirement system plan 2 to fully offset the increase in the cost of the community rated risk pool established under RCW 41.05.022 resulting from the participation of these totally disabled members of the law enforcement officers' and firefighters' retirement system plan 2. The number of totally disabled members assumed by the authority in the calculation of cost to the community rated risk pool for a plan year may be no greater than the actual number of members receiving the total disability allowance under RCW 41.26.470(8) as of the date of actuarial valuation of the community risk pool for the upcoming plan year, plus the average annual change in the number of disability allowances provided under 41.26.470(8) during the prior plan year.

(5)"

Renumber the remaining subsections consecutively and correct any references accordingly.

On page 3, after line 20, insert the following:

**"NEW SECTION.** Sec. 3. A new section is added to chapter 41.26 RCW to read as follows:

The participation of totally disabled members of the law enforcement officers' and firefighters' retirement system plan 2 in the health insurance plans administered by the health care authority is a benefit of the law enforcement officers' and firefighters' retirement system plan 2. The increased health benefit costs charged by the health care authority pursuant to RCW 41.05.080(4) to offset the impact on the community rated risk pool resulting from participation of members of the law enforcement officers' and firefighters' plan 2

members who are totally disabled in the line of duty, spouses, and dependents shall be charged first to the law enforcement officers' and firefighters' retirement system plan 2 fund.

Sec. 4. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

Sec. 5. This act expires July 1, 2011."

Correct the title.

Representatives Ericks and Bailey spoke in favor of the adoption of the amendment.

Amendment (144) was adopted. The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Simpson and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1679.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1679 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Halder, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 1679, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1580, by Representatives Kessler, Walsh, Santos, Morris, Blake, Takko, Chandler, McCoy, Newhouse, Kretz, Linville, Jacks, Ormsby, Van De Wege, Hurst, Warnick, Nelson, Hinkle, Springer and Kenney**

**Establishing a pilot local water management program**

**in one qualified jurisdiction.**

There being no objection, the substitute by the Committee on General Government Appropriations was substituted for House Bill No. 1580 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1580 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Kessler, Walsh and Grant-Herriot spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1580.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1580 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Halder, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1580, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1690, by Representatives Hasegawa, Hunt, Hudgins, Anderson and Kenney**

**Authorizing alternative public works contracting procedures.**

The bill was read the second time.

There being no objection, the rules were suspended, the



second reading considered the third and the bill was placed on final passage.

Representatives Hasegawa and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1690.

### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1690 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

HOUSE BILL NO. 1690, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1692, by Representatives Driscoll, Wood, Crouse and Ormsby**

**Addressing the authority of the board of directors of a public facilities district.**

There being no objection, the substitute by the Committee on Community & Economic Development & Trade was substituted for House Bill No. 1692 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1692 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Driscoll and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the

question before the House to be final passage of Substitute House Bill No. 1692.

### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1692 and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives DeBolt, Ericksen and Hinkle.

SUBSTITUTE HOUSE BILL NO. 1692, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1749, by Representatives Bailey and Kirby**

**Regulating the business practices of mortgage brokers for compliance with the secure and fair enforcement for mortgage licensing act of 2008.**

There being no objection, the substitute by the Committee on General Government Appropriations was substituted for House Bill No. 1749 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1749 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Bailey and Kirby spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1749.

### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute

House Bill No. 1749 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1749, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1758, by Representatives Quall, Hope, Wallace, Sullivan, Goodman, Kagi, Santos, Morrell, Hasegawa and Ormsby**

**Expanding options for students to earn high school diplomas.**

There being no objection, the substitute by the Committee on Education Appropriations was substituted for House Bill No. 1758 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1758 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Quall and Priest spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1758.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1758 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll,

Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1758, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1762, by Representatives Santos, Kenney and Morrell**

**Increasing parental and community involvement in public education.**

There being no objection, the substitute by the Committee on Education Appropriations was substituted for House Bill No. 1762 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1762 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Santos spoke in favor of the passage of the bill.

Representative Priest spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1762.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1762 and the bill passed the House by the following vote: Yeas, 62; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells,

Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, O'Brien, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Walsh and Warnick.

SECOND SUBSTITUTE HOUSE BILL NO. 1762, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1765, by Representatives Moeller, Campbell and Morrell**

**Concerning the license surcharge for the impaired physician program.**

There being no objection, the substitute by the Committee on Health & Human Services Appropriations was substituted for House Bill No. 1765 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1765 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Moeller and Hinkle spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1765.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1765 and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr.

Speaker.

Voting nay: Representatives Crouse, Parker, Roach, Schmick, Shea and Short.

SUBSTITUTE HOUSE BILL NO. 1765, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1802, by Representatives Hudgins, Simpson, Sullivan and Moeller**

**Concerning collector vehicles.**

There being no objection, the substitute by the Committee on Transportation was substituted for House Bill No. 1802 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1802 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Hudgins spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Substitute House Bill No. 1802.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1802 and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Dammeier, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Schmick, Shea, Short, Smith, Walsh and Warnick.

SUBSTITUTE HOUSE BILL NO. 1802, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1818, by Representatives Dickerson, Orcutt, Hunter and Carlyle**

**Clarifying that multiple qualified buildings are eligible for the high technology retail sales and use tax deferral.**

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dickerson and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1818.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1818 and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

HOUSE BILL NO. 1818, having received the constitutional majority, was declared passed.

**HOUSE BILL NO. 1409, by Representatives Van De Wege, Kessler, Upthegrove, Rolfes, Blake, Dunshee, Campbell, Jacks, Orwall, Seaquist, Appleton, Nelson, Roberts, Morris, Takko, Cody, Carlyle, McCoy, Goodman, Quall, Sullivan, Lias, Chase, Pedersen, Williams, Kagi, Kenney, Simpson, Conway and Moeller**

Providing an emergency response system for the Strait of Juan de Fuca.

There being no objection, the substitute by the Committee on Ecology & Parks was substituted for House Bill No. 1409 and the substitute bill was placed on the second reading

calendar.

SUBSTITUTE HOUSE BILL NO. 1409 was read the second time.

Representative Short moved the adoption of amendment (093):

On page 3, after line 19, insert the following:

"(5) If the cumulative annual contract amount for all covered vessels required to satisfy the emergency response system requirements of this section is greater than the annual amount paid by the state as part of its 2007-2009 biennium contract with the Neah Bay emergency response vessel, then the additional funding above the 2007-2009 contract rate must be provided by the state of Washington."

Representatives Short, Chandler and Orcutt spoke in favor of the amendment.

Representative Upthegrove spoke against the amendment.

Amendment (093) was not adopted.

Representative Van De Wege moved the adoption of amendment (119):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that the Olympic Peninsula is bounded on the west and north by uniquely rich and highly vulnerable biological, cultural, and marine resources supporting some of the nation's most valuable tribal, commercial, and sport fisheries. The area also sustains endangered species and numerous species of vulnerable marine mammals. The area's national significance is recognized by special federal designations including a national park, a national marine sanctuary, a maritime area to be avoided, national wildlife refuges, a world heritage site, as well as tribal lands and usual and accustomed fishing areas of federally recognized coastal Indian tribes. This remote area periodically experiences severe coastal storms, dangerous seas, strong coastal currents, and frequent fog placing economically valuable maritime commerce and ship crews at risk.

(2) The legislature further finds that these peculiarities of the local waters require special protection from the serious threat posed by maritime casualties. The area's natural, cultural, and economic resources must be provided with the best achievable protection from damages caused by the discharge of oil into coastal waters.

(3) The legislature further finds that the state of Washington has maintained an emergency response tug at Neah Bay since 1999 to protect its waters from maritime casualties and resultant oil spills. During that time it has demonstrated its capability by responding to forty-one ships in need of assistance in the area from Port Angeles to the Columbia river. State funding is scheduled to end June 30, 2009. The legislature intends for the maritime industry to provide and fully fund a year-round emergency response tug at Neah Bay, including the logistical and operational management support system. This emergency response towing vessel and its operations should meet or exceed the state's fiscal year 2009 technical contract specifications of the contracted Neah Bay emergency response towing vessel.

**Sec. 2.** RCW 88.46.130 and 1991 c 200 s 426 are each amended to read as follows:

(1) An emergency response system for vessels operating in the entry of the Strait of Juan de Fuca shall be established and operated consistent with this section by July 1, ((1992)) 2010. ((In establishing the emergency response system, the administrator shall consider the recommendations of the regional marine safety committees. The administrator shall also consult with the province of British Columbia regarding its participation in the emergency response system.))

(2)(a) Except as otherwise provided in this section, and in addition to the contingency plan requirements adopted by the department under RCW 88.46.060, contingency plans for all covered vessels while operating in all waters of the entry to the Strait of Juan de Fuca north of the Clallam county shoreline and east of Duncan rock must provide for the emergency response system described in this section, including the management and operation of an emergency response towing vessel that satisfies the planning standards in section 3 of this act.

(b) Owners and operators of covered vessels that operate in the portion of the entry to the Strait of Juan de Fuca identified in this subsection shall submit an addendum to their oil spill contingency plan demonstrating compliance with this section by January 1, 2010. A vessel submitting an initial contingency plan after January 1, 2010, must provide documentation of its compliance with this section concurrent with the submittal of its contingency plan.

(c) The department shall review all submittals demonstrating compliance with this section and shall approve any submittal that meets the intent and planning standards established in section 3 of this act.

(3) Full implementation of section 3 of this act, or implementation of a system of protective measures imposed or required by the federal government that are determined by the department to be substantially equivalent to those requirements, satisfies the emergency response system required by this section.

(4) The director may suspend the requirement for an emergency response towing vessel created in this section if the director determines that an emergency response towing vessel satisfying the requirements of section 3 of this act is not available to provide the services required under this section.

**NEW SECTION. Sec. 3.** A new section is added to chapter 88.46 RCW to read as follows:

(1) An emergency response towing vessel that is a part of the emergency response system required by RCW 88.46.130 must be stationed at Neah Bay and be continuously capable and available to respond to any vessel emergency. The towing vessel must, at a minimum, be able to satisfy the following planning standards:

(a) Be underway within twenty minutes of a decision to deploy;

(b) Be able to deploy at any hour of any day to provide emergency assistance and be safely manned to remain underway for at least forty- eight hours;

(c) In severe weather conditions, be capable of making up to, stopping, holding, and towing a drifting or disabled vessel of one hundred eighty thousand metric dead weight tons;

(d) In severe weather conditions, be capable of holding position within one hundred feet of another vessel;

(e) Be equipped with and maneuverable enough to effectively employ a ship anchor chain recovery hook and line throwing gun;

(f) Be capable of a bollard pull of at least seventy short tons; and

(g) Be equipped with appropriate equipment for:

(i) Damage control patching;

(ii) Vessel dewatering;

(iii) Air safety monitoring; and

(iv) Digital photography.

(2) The requirements of this section may be fulfilled by one or more private organizations or nonprofit cooperatives providing umbrella coverage under contract to single or multiple covered vessels.

(3)(a) The department must be authorized to contract with the emergency response towing vessel, at the discretion of the department, in response to a potentially emerging maritime casualty or as a precautionary measure during severe storms. All instances of use by the department must be paid for by the department.

(b) Covered vessels that are required to provide an emergency response towing vessel under RCW 88.46.130 may not restrict the emergency response towing vessel from responding to distressed vessels that are not covered vessels.

(4) Nothing in this section limits the ability of a covered vessel to contract with an emergency response towing vessel with capabilities that exceed the minimum capabilities provided for a towing vessel in this section.

(5) The covered vessel owner or operator shall submit a written report to the department as soon as practicable regarding an emergency response system deployment, including photographic documentation determined by the department to be of adequate quality. The report must provide a detailed description of the incident necessitating a response and the actions taken to render assistance under the emergency response system.

**NEW SECTION. Sec. 4.** A new section is added to chapter 88.46 RCW to read as follows:

(1) It is the intent of the legislature to provide the various components of the maritime industry with the tools necessary to satisfy the requirements of RCW 88.46.130 in the most cost-effective manner. In doing, the legislature encourages, but does not mandate, the maritime industry to unite behind their mutual interests and responsibilities and identify or form a single umbrella organization that allows all affected covered vessels to equitably share the costs inherent in the implementation of RCW 88.46.130.

(2) The legislature further finds that an equitable sharing of the costs of implementing RCW 88.46.130 may mean that not all covered vessels will be responsible for providing the same amount of funding. Any umbrella organization that is identified or formed to satisfy the requirements of this act should consider the multitude of factors that comprise the risk of oil spills and the likelihood of initiating a response from the emergency response vessel required by RCW 88.46.130, including the number of transits made by the covered vessel, the nature and quantity of its cargo, and the technical sophistication of its design, safety updates, and maintenance.

(3) The legislature intends to provide the authority for any operator of a covered vessel that feels as though an umbrella organization that is identified, formed, or proposed for formation does not equitably share the costs of compliance with RCW 88.46.130 with the covered vessel in question, or the class of vessel to which the covered vessel belongs, to either contract directly with an adequate emergency response vessel or form or join a discreet umbrella organization representing the appropriate segment of the maritime industry. However, if the operator of a covered vessel chooses not to join a proposed or existing umbrella organization, or finds that negotiations leading to the formation of an umbrella organization are not progressing in an adequate manner, the legislature requests, but does not require, that the vessel operator contact the department and provide official notice of their concern as to how the umbrella group in question failed in establishing an equitable cost-share strategy.

(4) The department shall collect and maintain all notices received under this section and shall summarize any reports received by the operators of covered vessels and report the summation to the appropriate committees of the legislature upon request by a

legislative committee.

**NEW SECTION. Sec. 5.** (1) Designated representatives of the owners and operators of all classes of covered vessels shall negotiate, given the intent of section 4 of this act, a system to determine the equitable apportionment of costs of the emergency response system required by this act.

(2) Participants to the negotiations shall report the results to the appropriate committees of the legislature by December 1, 2009. This report shall provide available information relating to:

(a) The anticipated average annual cost of providing the emergency response system required by this act;

(b) The methodology for determining the annual cost for each vessel of complying with this act, including a system for crediting enhanced navigational or structural characteristics, and any caps or limitations on total cost for vessels that frequently transit the waters identified in this act; and

(c) The anticipated average annual cost of complying with this act for each of the following class of covered vessels:

- (i) Oil tankers;
- (ii) Tank barges;
- (iii) Tug and oil barge combinations;
- (iv) Nontank vessels, including cruise ships;
- (v) Other covered vessels.

(3) If the representatives designated under this section to participate in negotiations fail to achieve the goals of this section or otherwise choose not to report the outcomes to the legislature, the department of ecology shall, by December 1, 2009, deliver the summation of any reports received under section 4 of this act.

(4) This section expires June 30, 2010.

**NEW SECTION. Sec. 6.** A new section is added to chapter 88.46 RCW to read as follows:

(1) In addition to reviewing contingency plans submitted under RCW 88.46.130, the department may determine the adequacy of the emergency response system required in RCW 88.46.130 through practice drills that test the adequacy of the responding entity's capabilities and satisfaction of the requirements of section 3 of this act. Practice drills may be conducted without prior notice.

(2) Each successful response to a vessel emergency may be considered by the department to satisfy a drill covering this portion of a covered vessel's contingency plan.

(3) Drills of the emergency response system required in RCW 88.46.130 must emphasize the system's ability to respond to a potentially worst case vessel emergency scenario.

**Sec. 7.** RCW 88.46.010 and 2007 c 347 s 5 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures.

(2) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(3) "Cargo vessel" means a self-propelled ship in commerce, other than a tank vessel or a passenger vessel, of three hundred or more gross tons, including but not limited to, commercial fish processing vessels and freighters.

(4) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(5) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(6) "Department" means the department of ecology.

(7) "Director" means the director of the department of ecology.

(8) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(9) "Duncan rock" means the nautical landmark located northwest of Tatoosh Island in Clallam county marking the entrance to the Strait of Juan de Fuca.

(10) "Entry to the Strait of Juan de Fuca" means that portion of the Strait of Juan de Fuca seaward of a line drawn from New Dungeness light in Clallam county to Discovery Island light on Vancouver Island, British Columbia, Canada, and including the Washington portion of the approach area to the Strait of Juan de Fuca from Cape Flattery light in Clallam county southward to North Head light in Pacific county near the mouth of the Columbia river.

(11)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, located on or near the navigable waters of the state that transfers oil in bulk to or from a tank vessel or pipeline, that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; or (v) marine fuel outlet that does not dispense more than three thousand gallons of fuel to a ship that is not a covered vessel, in a single transaction.

((10)) (12) "Marine facility" means any facility used for tank vessel wharfage or anchorage, including any equipment used for the purpose of handling or transferring oil in bulk to or from a tank vessel.

((11)) (13) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

((12)) (14) "Oil" or "oils" means oil of any kind that is liquid at atmospheric temperature and any fractionation thereof, including, but not limited to, crude oil, petroleum, gasoline, fuel oil, diesel oil, biological oils and blends, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section 101(14) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

((13)) (15) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land. "Offshore facility" does not include a marine facility.

((14)) (16) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging

oil into or on the navigable waters of the state or the adjoining shorelines.

((15)) (17)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by demise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

((16)) (18) "Passenger vessel" means a ship of three hundred or more gross tons with a fuel capacity of at least six thousand gallons carrying passengers for compensation.

((17)) (19) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

((18)) (20) "Severe weather conditions" means observed nautical conditions with sustained winds measured at forty knots and wave heights measured between twelve and eighteen feet.

(21) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

((19)) (22) "Spill" means an unauthorized discharge of oil into the waters of the state.

((20)) (23) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

((21)) (24) "Vessel emergency" includes:

(a) A substantial threat of pollution originating from a covered vessel including, but not limited to, loss or serious degradation of propulsion, steering, means of navigation, primary electrical generating capability, and seakeeping capability;

(b) Hull breach; or

(c) Oil spill.

(25) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

((22)) (26) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

**Sec. 8.** RCW 90.56.500 and 1991 c 200 s 805 are each amended to read as follows:

(1) The state oil spill response account is created in the state treasury. All receipts from RCW 82.23B.020(1) shall be deposited in the account. All costs reimbursed to the state by a responsible party or any other person for responding to a spill of oil shall also be deposited in the account. Moneys in the account shall be spent only after appropriation. The account is subject to allotment procedures under chapter 43.88 RCW.

(2) The account shall be used exclusively to pay for:

(a) The costs associated with the response to spills of crude oil or petroleum products into the navigable waters of the state; and

(b) The costs associated with the department's use of the emergency response towing vessel as described in section 3 of this act.

(3) Payment of response costs under subsection (2)(a) of this section

shall be limited to spills which the director has determined are likely to exceed fifty thousand dollars. Before expending moneys from the account, the director shall make reasonable efforts to obtain funding for response costs from the person responsible for the spill and from other sources, including the federal government.

(4) Reimbursement for response costs shall be allowed only for costs which are not covered by funds appropriated to the agencies responsible for response activities. Costs associated with the response to spills of crude oil or petroleum products shall include:

((1)) (a) Natural resource damage assessment and related activities;

((2)) (b) Spill related response, containment, wildlife rescue, cleanup, disposal, and associated costs;

((3)) (c) Interagency coordination and public information related to a response; and

((4)) (d) Appropriate travel, goods and services, contracts, and equipment.

**NEW SECTION. Sec. 9.** (1) The director of the department of ecology, or the director's designee, shall initiate discussions with the director's equivalent position in the government for the Canadian province of British Columbia to explore options for Washington and British Columbia to share the marine response assets required under this act.

(2) Any progress or outcomes from the discussions initiated under this section must be reported to the appropriate committees of the legislature no later than January 1, 2011.

(3) This section expires July 31, 2011."

Correct the title.

Representative Short moved the adoption of amendment (125) to amendment (119):

On page 3, after line 5 of the amendment, insert the following:  
 "(5) If the cumulative annual contract amount for all covered vessels required to satisfy the emergency response system requirements of this section is greater than the annual amount paid by the state as part of its 2007-2009 biennium contract with the Neah Bay emergency response vessel, then the additional funding above the 2007-2009 contract rate must be provided by the state of Washington."

Representatives Short spoke in favor of the adoption of the amendment to amendment (119).

Representative Upthegrove spoke against the adoption of the amendment to amendment (119).

Amendment (125) to amendment (119) was not adopted.

The question before the House was the adoption of amendment (119).

Representative Van De Wege spoke in favor of the adoption of the amendment.

Representative Short spoke against the adoption of the amendment.

Amendment (119) was adopted. The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Van De Wege, Seaquist and Van De Wege (again) spoke in favor of the passage of the bill.

Representatives Short, Ericksen, Orcutt and Armstrong spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1409.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1409 and the bill passed the House by the following vote: Yeas, 62; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Priest, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Driscoll, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Probst, Roach, Rodne, Ross, Schmick, Shea, Short, Walsh and Warnick.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1409, having received the constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

The Speaker (Representative Morris presiding) announced that the Committee on Rules was relieved of the following bills, and the bills were placed on the Second Reading calendar:

HOUSE BILL NO. 1530  
HOUSE BILL NO. 1616  
HOUSE BILL NO. 1703  
HOUSE BILL NO. 1733  
HOUSE BILL NO. 1799  
HOUSE BILL NO. 1946  
HOUSE BILL NO. 1953  
HOUSE BILL NO. 1981  
HOUSE BILL NO. 2003  
HOUSE BILL NO. 2010  
HOUSE BILL NO. 2072  
HOUSE BILL NO. 2095  
HOUSE BILL NO. 2114  
HOUSE BILL NO. 2147  
HOUSE BILL NO. 2164  
HOUSE BILL NO. 2223  
HOUSE BILL NO. 2227  
HOUSE BILL NO. 2249  
HOUSE BILL NO. 2252  
HOUSE BILL NO. 2267  
HOUSE BILL NO. 2275

There being no objection, the House adjourned until 9:30 a.m., March 6, 2009, the 54th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

HOUSE BILL NO. 1007  
HOUSE BILL NO. 1062  
HOUSE BILL NO. 1078  
HOUSE BILL NO. 1131  
HOUSE BILL NO. 1290  
HOUSE BILL NO. 1321  
HOUSE BILL NO. 1329  
HOUSE BILL NO. 1357  
HOUSE BILL NO. 1445  
HOUSE BILL NO. 1490



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